

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

On Thursday, July 23, 2009, the Senate passed H.R. 2647, as amended, as follows:

H.R. 2647

Resolved, That the bill from the House of Representatives (H.R. 2647) entitled “An Act to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes.”, do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2010”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into seven divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

(5) Division E—Matthew Shepard Hate Crimes Prevention Act.

(6) Division F—SBIR/STTR Reauthorization.

(7) Division G—Maritime Administration Authorization.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

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Sec. 103. Air Force.

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Sec. 123. Report on potential foreign military sales of the F-22A fighter aircraft.

Sec. 124. Next generation bomber aircraft.

Sec. 125. AC-130 gunships.

Sec. 126. Report on E-8C Joint Surveillance and Target Attack Radar System re-engineing.

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Sec. 201. Authorization of appropriations.

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Sec. 212. Enhancement of duties of Director of Department of Defense Test Resource Management Center with respect to the Major Range and Test Facility Base.

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Sec. 215. Extension and enhancement of Global Research Watch Program.

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Sec. 220. Assessment of strategy for technology for modernization of the combat vehicle and tactical wheeled vehicle fleets.

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Sec. 245. Continued production of Ground-based Interceptor missile and operation of Missile Field 1 at Fort Greely, Alaska.

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- Sec. 553. Military community support for children with autism and their families.
- Sec. 554. Reports on effects of deployments on military children and the availability of mental health care and counseling services for military children.

- Sec. 555. Report on child custody litigation involving service of members of the Armed Forces.

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- Sec. 557. Expansion of suicide prevention and community healing and response training under the Yellow Ribbon Reintegration Program.

- Sec. 558. Report on Yellow Ribbon Reintegration Program.

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Sec. 5102. Status of the Office of Technology.

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Sec. 5401. Conforming amendments to the SBIR and the STTR Policy Directives.

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Sec. 6002. Cooperative agreements, administrative expenses, and contracting authority.

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Sec. 6006. Use of midshipman fees.

Sec. 6007. Construction of vessels in the United States policy.

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Sec. 6009. Reefers for marine life conservation program.

Sec. 6010. Student incentive payment agreements.

Sec. 6011. United States merchant marine academy graduate program receipt, disbursement, and accounting for non-appropriated funds.

Sec. 6012. America's short sea transportation grants for the development of marine highways.

Sec. 6013. Expansion of the marine view system.

Sec. 6014. Authorization of appropriations for fiscal year 2010.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

For purposes of this Act, the term "congressional defense committees" has the meaning given that term in section 101(a)(16) of title 10, United States Code.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement for the Army as follows:

(1) For aircraft, \$5,144,891,000.

(2) For missiles, \$1,375,109,000.

(3) For weapons and tracked combat vehicles, \$2,451,952,000.

(4) For ammunition, \$2,059,895,000.

(5) For other procurement, \$9,617,991,000.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement for the Navy as follows:

(1) For aircraft, \$18,655,412,000.

(2) For weapons, including missiles and torpedoes, \$3,515,455,000.

(3) For shipbuilding and conversion, \$13,776,867,000.

(4) For other procurement, \$5,595,176,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement for the Marine Corps in the amount of \$1,600,638,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement of ammunition for the Navy and the Marine Corps in the amount of \$840,675,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement for the Air Force as follows:

(1) For aircraft, \$13,077,876,000.

(2) For missiles, \$6,107,728,000.

(3) For ammunition, \$822,462,000.

(4) For other procurement, \$17,245,341,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2010 for Defense-wide procurement as follows:

(1) For Defense-wide procurement, \$4,050,052,000.

(2) For the Rapid Acquisition Fund, \$79,300,000.

(3) For the Mine Resistant Ambush Protected Vehicle Fund, \$1,200,000,000.

SEC. 105. FUNDING TABLE.

The amounts authorized to be appropriated by sections 101, 102, 103, and 104 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4101.

SEC. 106. ELIMINATION OF F-22A AIRCRAFT PROCUREMENT FUNDING.

(a) ELIMINATION OF FUNDING.—The amount authorized to be appropriated by section 103(1)

for procurement for the Air Force for aircraft procurement is hereby decreased by \$1,750,000,000, with the amount of the decrease to be derived from amounts available for F-22A aircraft procurement.

(b) **RESTORED FUNDING.**—

(1) **OPERATION AND MAINTENANCE, ARMY.**—The amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army is hereby increased by \$350,000,000.

(2) **OPERATION AND MAINTENANCE, NAVY.**—The amount authorized to be appropriated by section 301(2) for operation and maintenance for the Navy is hereby increased by \$100,000,000.

(3) **OPERATION AND MAINTENANCE, AIR FORCE.**—The amount authorized to be appropriated by section 301(4) for operation and maintenance for the Air Force is hereby increased by \$250,000,000.

(4) **OPERATION AND MAINTENANCE, DEFENSE-WIDE.**—The amount authorized to be appropriated by section 301(5) for operation and maintenance for Defense-wide activities is hereby increased by \$150,000,000.

(5) **MILITARY PERSONNEL.**—The amount authorized to be appropriated by section 421(a)(1) for military personnel is hereby increased by \$400,000,000.

(6) **DIVISION A AND DIVISION B GENERALLY.**—In addition to the amounts specified in paragraphs (1) through (5), the total amount authorized to be appropriated for the Department of Defense by divisions A and B is hereby increased by \$500,000,000.

Subtitle B—Navy Programs

SEC. 111. TREATMENT OF LITTORAL COMBAT SHIP PROGRAM AS A MAJOR DEFENSE ACQUISITION PROGRAM.

Effective as of the date of the enactment of this Act, the program for the Littoral Combat Ship shall be treated as a major defense acquisition program for purposes of chapter 144 of title 10, United States Code.

SEC. 112. REPORT ON STRATEGIC PLAN FOR HOMEPORING THE LITTORAL COMBAT SHIP.

(a) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report setting forth the strategic plan of the Navy for homeporting the Littoral Combat Ship (LCS) on the East Coast and West Coast of the United States.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) The requirements for homeporting of the Littoral Combat ship of the commanders of the combatant commands, set forth by geographic area of responsibility (AOR).

(2) A description of the manner in which the Navy will meet the requirements identified under paragraph (1).

(3) An assessment of the effect of each type of Littoral Combat Ship on each port in which such ship could be homeported.

(4) A map, based on the current plan of 55 Littoral Combat Ships, identifying where each ship will homeport and how such ports will accommodate both types of Littoral Combat Ships, based on the current program and a 313-ship Navy.

(5) An estimate of the costs of infrastructure required for Littoral Combat Ships at each homeport, including—

(A) existing infrastructure; and

(B) such upgraded infrastructure as may be required.

SEC. 113. PROCUREMENT PROGRAMS FOR FUTURE NAVAL SURFACE COMBATANTS.

(a) **LIMITATION ON AVAILABILITY OF FUNDS PENDING REPORTS ABOUT SURFACE COMBATANT SHIPBUILDING PROGRAMS.**—The Secretary of the Navy may not obligate or expend funds for the construction of, or advanced procurement of materials for, a surface combatant to be con-

structed after fiscal year 2011 until the Secretary has submitted to Congress each of the following:

(1) An acquisition strategy for such surface combatants that has been approved by the Department of Defense.

(2) The results of reviews by the Joint Requirements Oversight Council for an Acquisition Category I program that supports the need for an acquisition strategy to procure surface combatants after fiscal year 2011.

(3) A verification by an independent review panel convened by the Secretary of Defense that, in evaluating the shipbuilding program concerned, the Secretary of the Navy considered each of the following:

(A) Modeling and simulation, including war gaming conclusions regarding combat effectiveness for the selected ship platforms as compared to other reasonable alternative approaches.

(B) Assessments of platform operational availability.

(C) Life cycle costs from vessel manning levels to accomplish missions.

(4) An intelligence analysis reflecting a coordinated threat assessment of the Defense Intelligence Agency that provides the basis for deriving the mix of platforms in the shipbuilding program concerned when compared with the surface combatants in the 2009 shipbuilding plan.

(5) The differences in cost and schedule arising from the need to accommodate new sensors and weapons in future surface combatants to counter the future threats referred to in paragraph (4) when compared with the cost and schedule arising from the need to accommodate sensors and weapons on surface combatants as contemplated by the 2009 shipbuilding plan for the vessels concerned.

(6) A verification by the commanders of the combatant commands that the shipbuilding program for the vessels concerned would be preferable to the surface combatants included in the 2009 shipbuilding plan for the vessels concerned in meeting all of their future mission requirements.

(7) A joint review by the Navy and the Missile Defense Agency setting forth additional requirements for investment in Aegis ballistic missile defense (BMD) beyond the number of DDG-51 and CG-47 vessels planned to be equipped for this mission area in the budget of the President for fiscal year 2010 (as submitted to Congress pursuant to section 1105 of title 31, United States Code).

(b) **FUTURE SURFACE COMBATANT ACQUISITION STRATEGY.**—Not later than the date upon which President submits to Congress the budget for fiscal year 2012 (as so submitted), the Secretary of the Navy shall submit to the congressional defense committees a plan to provide for full and open competition on the combat systems for surface combatants proposed in the future-years defense program submitted to Congress under section 221 of title 10, United States Code, together with such budget. The plan shall include specifics on the intent of the Navy to satisfy criteria described in subsection (a) and evaluate applicable technologies during the request for proposal and selection process.

(c) **NAVAL SURFACE FIRE SUPPORT.**—Not later than 120 days after the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees an update to the March 2006 Report to Congress on Naval Surface Fire Support. The update shall identify how the Department of Defense intends to address any shortfalls between required naval surface fire support capability and the plan of the Navy to provide that capability. The update shall include addenda by the Chief of Naval Operations and Commandant of the Marine Corps, as was the case in the 2006 report.

(d) **TECHNOLOGY ROADMAP FOR FUTURE SURFACE COMBATANTS AND FLEET MODERNIZATION.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Sec-

retary of the Navy shall develop a plan to incorporate into surface combatants constructed after 2011, and into fleet modernization programs, the technologies developed for the DDG-1000 destroyer and the DDG-51 and CG-47 Aegis ships, including the following:

(A) For the DDG-1000 destroyer—

(i) combat system;

(ii) multi-function and dual-band radars;

(iii) hull, mechanical and electrical systems achieving significant manpower savings; and

(iv) integrated electric propulsion technologies.

(B) For the DDG-51 and CG-47 Aegis ships—

(i) combat system, including missile defense capability;

(ii) hull, mechanical and electrical systems achieving manpower savings; and

(iii) anti-submarine warfare sensor systems designed for operating in open ocean areas.

(2) **SCOPE OF PLAN.**—The plan required by paragraph (1) shall include sufficient detail for systems and subsystems to ensure that the plan—

(A) avoids redundant development for common functions;

(B) reflects implementation of Navy plans for achieving an open architecture for all naval surface combat systems; and

(C) fosters full and open competition.

(e) **DEFINITION.**—In this section:

(1) The term “2009 shipbuilding plan” means the 30-year shipbuilding plan submitted to Congress pursuant to section 231, title 10, United States Code, together with the budget of the President for fiscal year 2009 (as submitted to Congress pursuant to section 1105 of title 31, United States Code).

(2) The term “surface combatant” means a cruiser, a destroyer, or any naval vessel under a program currently designated as a future surface combatant program.

SEC. 114. REPORT ON A SERVICE LIFE EXTENSION PROGRAM FOR OLIVER HAZARD PERRY CLASS FRIGATES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report setting forth the following:

(1) A detailed analysis of a service life extension program (SLEP) for the Oliver Hazard Perry class frigates (FFGs), including—

(A) the cost of the program;

(B) a schedule for the program; and

(C) the shipyards available to carry out the work under the program.

(2) A detailed plan of the Navy for achieving a 313-ship fleet as contemplated by the 2006 Quadrennial Defense Review, including a comparison for purposes of that plan of decommissioning Oliver Hazard Perry class frigates as scheduled with extending the service life of such frigates under the service life extension program.

(3) The strategic plan of the Navy for the manner in which the Littoral Combat Ship (LCS) will fulfill the roles and missions currently performed by the Oliver Hazard Perry class frigates as they are decommissioned.

(4) The strategic plan of the Navy for the Littoral Combat Ship if the extension of the service life of the Oliver Hazard Perry class frigates alleviates demand arising under the current capabilities gap in the Littoral Combat Ship.

(5) A description of the manner in which the Navy has met the needs of the United States Southern Command over time, including the assets and vessels the Navy has deployed for military-to-military engagements, UNITAS exercises, and counterdrug operations in support of the Commander of the United States Southern Command during the five-year period ending on the date of the report.

SEC. 115. COMPETITIVE BIDDING FOR PROCUREMENT OF STEAM TURBINES FOR SHIPS SERVICE TURBINE GENERATORS AND MAIN PROPULSION TURBINES FOR OHIO-CLASS SUBMARINE REPLACEMENT PROGRAM.

The Secretary of the Navy shall take measures to ensure competition, or the option of competition, for steam turbines for the ships service turbine generators and main propulsion turbines for the Ohio-class submarine replacement program in accordance with section 202 of the Weapons Systems Acquisition Reform Act of 2009 (Public Law 111–23; 10 U.S.C. 2430 note).

Subtitle C—Air Force Matters

SEC. 121. LIMITATION ON RETIREMENT OF C-5 AIRCRAFT.

(a) **LIMITATION.**—The Secretary of the Air Force may not proceed with a decision to retire C-5A aircraft from the active inventory of the Air Force in any number that would reduce the total number of such aircraft in the active inventory below 111 until—

(1) the Air Force has modified a C-5A aircraft to the configuration referred to as the Reliability Enhancement and Reengining Program (RERP) configuration, as planned under the C-5 System Development and Demonstration program as of May 1, 2003; and

(2) the Director of Operational Test and Evaluation of the Department of Defense—

(A) conducts an operational evaluation of that aircraft, as so modified; and

(B) provides to the Secretary of Defense and the congressional defense committees an operational assessment.

(b) **OPERATIONAL EVALUATION.**—An operational evaluation for purposes of paragraph (2)(A) of subsection (a) is an evaluation, conducted during operational testing and evaluation of the aircraft, as so modified, of the performance of the aircraft with respect to reliability, maintainability, and availability and with respect to critical operational issues.

(c) **OPERATIONAL ASSESSMENT.**—An operational assessment for purposes of paragraph (2)(B) of subsection (a) is an operational assessment of the program to modify C-5A aircraft to the configuration referred to in subsection (a)(1) regarding both overall suitability and deficiencies of the program to improve performance of the C-5A aircraft relative to requirements and specifications for reliability, maintainability, and availability of that aircraft as in effect on May 1, 2003.

(d) **ADDITIONAL LIMITATIONS ON RETIREMENT OF AIRCRAFT.**—The Secretary of the Air Force may not retire C-5 aircraft from the active inventory as of the date of this Act until the later of the following:

(1) The date that is 150 days after the date on which the Director of Operational Test and Evaluation submits the report referred to in subsection (a)(2)(B).

(2) The date that is 120 days after the date on which the Secretary submits the report required under subsection (e).

(3) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that—

(A) the retirement of such aircraft will not increase the operational risk of meeting the National Defense Strategy; and

(B) the retirement of such aircraft will not reduce the total strategic airlift force structure below 324 strategic airlift aircraft.

(e) **REPORT ON RETIREMENT OF AIRCRAFT.**—The Secretary of the Air Force shall submit to the congressional defense committees a report setting forth the following:

(1) The rationale for the retirement of existing C-5 aircraft and a cost/benefit analysis of alternative strategic airlift force structures, including the force structure that would result from the retirement of such aircraft.

(2) An assessment of the costs and benefits of applying the Reliability Enhancement and Reengining Program (RERP) modification to the entire the C-5A aircraft fleet.

(3) An assessment of the implications for the Air Force, the Air National Guard, and the Air Force Reserve of operating a mix of C-5A aircraft and C-5M aircraft.

(4) An assessment of the costs and benefits of increasing the number of C-5 aircraft in Back-up Aircraft Inventory (BAI) status as a hedge against future requirements of such aircraft.

(5) An assessment of the costs, benefits, and implications of transferring C-5 aircraft to United States flag carriers operating in the Civil Reserve Air Fleet (CRAF) program or to coalition partners in lieu of the retirement of such aircraft.

(6) Such other matters relating to the retirement of C-5 aircraft as the Secretary considers appropriate.

(f) **MAINTENANCE OF AIRCRAFT UPON RETIREMENT.**—The Secretary of the Air Force shall maintain any C-5 aircraft retired after the date of the enactment of this Act in Type 1000 storage until opportunities for the transfer of such aircraft as described in subsection (e)(5) have been fully exhausted.

SEC. 122. REVISED AVAILABILITY OF CERTAIN FUNDS AVAILABLE FOR THE F-22A FIGHTER AIRCRAFT.

(a) **REPEAL OF AUTHORITY ON AVAILABILITY OF FISCAL YEAR 2009 FUNDS.**—Section 134 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4378) is repealed.

(b) **AVAILABILITY OF ADVANCE PROCUREMENT FUNDS FOR OTHER F-22A AIRCRAFT MODERNIZATION PRIORITIES.**—Subject to the provisions of appropriations Acts and applicable requirements relating to the transfer of funds, the Secretary of the Air Force may transfer amounts authorized to be appropriated for fiscal year 2009 by section 103(1) for aircraft procurement for the Air Force and available for advance procurement for the F-22A fighter aircraft within that subaccount or to other subaccounts for aircraft procurement for the Air Force for purposes of providing funds for other modernization priorities with respect to the F-22A fighter aircraft.

SEC. 123. REPORT ON POTENTIAL FOREIGN MILITARY SALES OF THE F-22A FIGHTER AIRCRAFT.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State and in consultation with the Secretary of the Air Force, submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on potential foreign military sales of the F-22A fighter aircraft.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) An estimate of the costs to the United States Government, industry, and any foreign military sales customer of developing an exportable version of the F-22A fighter aircraft.

(2) An assessment whether an exportable version of the F-22A fighter aircraft is technically feasible and executable, and, if so, a timeline for achieving an exportable version of the aircraft.

(3) An assessment of the potential strategic implications of permitting foreign military sales of the F-22A fighter aircraft.

(4) An assessment of the impact of foreign military sales of the F-22A fighter aircraft on the United States aerospace and aviation industry, and the advantages and disadvantages of such sales for sustaining that industry.

(5) An identification of any modifications to current law that are required to authorize foreign military sales of the F-22A fighter aircraft.

(c) **ADDITIONAL REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide for a federally funded research and development center which will submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on

Foreign Affairs of the House of Representatives, through the Secretary of Defense, a report on potential foreign military sales of the F-22A fighter aircraft, addressing the same elements as in subsection (b) of this section.

SEC. 124. NEXT GENERATION BOMBER AIRCRAFT.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Long-range strike is a critical mission in which the United States needs to retain a credible and dominant capability.

(2) Long range, penetrating strike systems provide—

(A) a hedge against being unable to obtain access to forward bases for political reasons;

(B) a capacity to respond quickly to contingencies;

(C) the ability to base outside the reach of emerging adversary anti-access and area-denial capabilities; and

(D) the ability to impose disproportionate defensive costs on prospective adversaries of the United States.

(3) The 2006 Quadrennial Defense Review found that there was a requirement for a next generation bomber aircraft and directed the United States Air Force to “develop a new land-based, penetrating long range strike capability to be fielded by 2018”.

(4) On April 6, 2009, Secretary Gates announced that the United States “will not pursue a development program for a follow-on Air Force bomber until we have a better understanding of the need, the requirement and the technology”.

(5) On May 7, 2009, President Barack Obama announced the termination of the next generation bomber aircraft program in the document of the Office of Management and Budget entitled “Terminations, Reductions, and Savings”, stating that “there is no urgent need to begin an expensive development program for a new bomber” and that “the future bomber fleet may not be affordable over the next six years”.

(6) The United States will need a new long-range strike capability because the conflicts of the future will likely feature heavily defended airspace, due in large part to the proliferation of relatively inexpensive, but sophisticated and deadly, air defense systems.

(7) General Michael Maples, the Director of the Defense Intelligence Agency, noted during a March 10, 2009, hearing of the Committee on Armed Services of the Senate on worldwide threats that “Russia, quite frankly, is the developer of most of those [advanced air defense] systems and is exporting those systems both to China and to other countries in the world”.

(8) The Final Report of the Congressional Commission on the Strategic Posture of the United States, submitted to Congress on May 6, 2009, states that “[t]he bomber force is valuable particularly for extending deterrence in time of crisis, as their deployment is visible and signals U.S. commitment. Bombers also impose a significant cost burden on potential adversaries in terms of the need to invest in advanced air defenses”.

(9) The commanders of the United States Pacific Command, the United States Strategic Command, and the United States Joint Forces Command have each testified before the Committee on Armed Services of the Senate in support of the capability that the next generation bomber aircraft would provide.

(10) On June 17, 2009, General James Cartwright, Vice-Chairman of the Joint Chiefs of Staff and chair of the Joint Requirements Oversight Council, stated during a hearing before the Committee on Armed Services of the Senate that “the nation needs a new bomber”.

(11) Nearly half of the United States bomber aircraft inventory (47 percent) pre-dates the Cuban Missile Crisis.

(12) The only air-breathing strike platforms the United States possesses today with reach and survivability to have a chance of successfully executing missions more than 1,000 nautical miles into enemy territory from the last air-

to-air refueling are 16 combat ready B-2 bomber aircraft.

(13) The B-2 bomber aircraft was designed in the 1980s and achieved initial operational capability over a decade ago.

(14) The crash of an operational B-2 bomber aircraft during takeoff at Guam in early 2008 indicates that attrition can and does occur even in peacetime.

(15) The primary mission requirement of the next generation bomber aircraft is the ability to strike targets anywhere on the globe with whatever weapons the contingency requires.

(16) The requisite aerodynamic, structural, and low-observable technologies to develop the next generation bomber aircraft already exist in fifth-generation fighter aircraft.

(b) **POLICY ON CONTINUED DEVELOPMENT OF NEXT GENERATION BOMBER AIRCRAFT IN FISCAL YEAR 2010.**—It is the policy of the United States to support a development program for next generation bomber aircraft technologies.

SEC. 125. AC-130 GUNSHIPS.

(a) **REPORT ON REDUCTION IN SERVICE LIFE IN CONNECTION WITH ACCELERATED DEPLOYMENT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force, in consultation with the United States Special Operations Command, shall submit to the congressional defense committees an assessment of the reduction in the service life of AC-130 gunships of the Air Force as a result of the accelerated deployments of such gunships that are anticipated during the seven- to ten-year period beginning with the date of the enactment of this Act, assuming that operating tempo continues at a rate per year of the average of their operating rate for the last five years.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) An estimate by series of the maintenance costs for the AC-130 gunships during the period described in subsection (a), including any major airframe and engine overhauls of such aircraft anticipated during that period.

(2) A description by series of the age, serviceability, and capabilities of the armament systems of the AC-130 gunships.

(3) An estimate by series of the costs of modernizing the armament systems of the AC-130 gunships to achieve any necessary capability improvements.

(4) A description by series of the age and capabilities of the electronic warfare systems of the AC-130 gunships, and an estimate of the cost of upgrading such systems during that period to achieve any necessary capability improvements.

(5) A description by series of the age of the avionics systems of the AC-130 gunships, and an estimate of the cost of upgrading such systems during that period to achieve any necessary capability improvements.

(c) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) **ANALYSIS OF ALTERNATIVES.**—The Secretary of the Air Force, in consultation with the United States Special Operations Command, shall conduct an analysis of alternatives for any gunship modernization requirements identified by the 2009 quadrennial defense review under section 118 of title 10, United States Code. The results of the analysis of alternatives shall be provided to the congressional defense committees not later than 18 months after the completion of the 2009 quadrennial defense review.

SEC. 126. REPORT ON E-8C JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM RE-ENGINEING.

(a) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on replacing the engines of E-8C Joint Surveillance and Target Attack Radar System (Joint STARS) aircraft. The report shall include the following:

(1) An assessment of funding alternatives and options for accelerating funding for the fielding of Joint STARS aircraft with replaced engines.

(2) An analysis of the tradeoffs involved in the decision to replace the engines of Joint STARS aircraft or not to replace those engines, including the potential cost savings from replacing those engines and the operational impacts of not replacing those engines.

(3) An identification of the optimum path forward for replacing the engines of Joint STARS aircraft and modernizing the Joint STARS fleet.

(b) **LIMITATION ON CERTAIN ACTIONS.**—The Secretary of the Air Force may not take any action that would adversely impact the pace of the execution of the program to replace the engines of Joint STARS aircraft before submitting the report required by subsection (a).

Subtitle D—Joint and Multiservice Matters

SEC. 131. MODIFICATION OF NATURE OF DATA LINK UTILIZABLE BY TACTICAL UNMANNED AERIAL VEHICLES.

Section 141(a)(1) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3164) is amended by striking “, until such time as the Tactical Common Data Link is replaced by an updated standard for use by those vehicles” and inserting “or a data link that uses waveform capable of transmitting and receiving Internet Protocol communications”.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Department of Defense for research, development, test, and evaluation as follows:

- (1) For the Army, \$10,863,003,000.
- (2) For the Navy, \$19,597,696,000.
- (3) For the Air Force, \$28,693,952,000.
- (4) For Defense-wide activities, \$20,555,270,000.
- (5) For Operational Test and Evaluation, Defense, \$190,770,000.

(b) **FUNDING TABLE.**—The amounts authorized to be appropriated by subsection (a) shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. LIMITATION ON USE OF FUNDS FOR AN ALTERNATIVE PROPULSION SYSTEM FOR THE F-35 JOINT STRIKE FIGHTER PROGRAM; INCREASE IN FUNDING FOR PROCUREMENT OF UH-1Y/AH-1Z ROTARY WING AIRCRAFT AND FOR MANAGEMENT RESERVES FOR THE F-35 JOINT STRIKE FIGHTER PROGRAM.

(a) **LIMITATION ON USE OF FUNDS FOR AN ALTERNATIVE PROPULSION SYSTEM FOR THE F-35 JOINT STRIKE FIGHTER PROGRAM.**—None of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended for the development or procurement of an alternate propulsion system for the F-35 Joint Strike Fighter program until the Secretary of Defense submits to the congressional defense committees a certification in writing that the development and procurement of the alternate propulsion system—

- (1) will—
 - (A) reduce the total life-cycle costs of the F-35 Joint Strike Fighter program; and
 - (B) improve the operational readiness of the fleet of F-35 Joint Strike Fighter aircraft; and
- (2) will not—

(A) disrupt the F-35 Joint Strike Fighter program during the research, development, and procurement phases of the program; or

(B) result in the procurement of fewer F-35 Joint Strike Fighter aircraft during the life cycle of the program.

(b) **ADDITIONAL AMOUNT FOR UH-1Y/AH-1Z ROTARY WING AIRCRAFT.**—The amount author-

ized to be appropriated by section 102(a)(1) for aircraft procurement for the Navy is increased by \$282,900,000, with the amount of the increase to be allocated to amounts available for the procurement of UH-1Y/AH-1Z rotary wing aircraft.

(c) **RESTORATION OF MANAGEMENT RESERVES FOR F-35 JOINT STRIKE FIGHTER PROGRAM.**—

(1) **NAVY JOINT STRIKE FIGHTER.**—The amount authorized to be appropriated by section 201(a)(2) for research, development, test, and evaluation for the Navy is hereby increased by \$78,000,000, with the amount of the increase to be allocated to amounts available for the Joint Strike Fighter program (PE # 0604800N) for management reserves.

(2) **AIR FORCE JOINT STRIKE FIGHTER.**—The amount authorized to be appropriated by section 201(a)(3) for research, development, test, and evaluation for the Air Force is hereby increased by \$78,000,000, with the amount of the increase to be allocated to amounts available for the Joint Strike Fighter program (PE # 0604800F) for management reserves.

(d) **OFFSETS.**—

(1) **NAVY JOINT STRIKE FIGHTER F136 DEVELOPMENT.**—The amount authorized to be appropriated by section 201(a)(2) for research, development, test, and evaluation for the Navy is hereby decreased by \$219,450,000, with the amount of the decrease to be derived from amounts available for the Joint Strike Fighter (PE # 0604800N) for F136 development.

(2) **AIR FORCE JOINT STRIKE FIGHTER F136 DEVELOPMENT.**—The amount authorized to be appropriated by section 201(a)(3) for research, development, test, and evaluation for the Air Force is hereby decreased by \$219,450,000, with the amount of the decrease to be derived from amounts available for the Joint Strike Fighter (PE # 0604800F) for F136 development.

SEC. 212. ENHANCEMENT OF DUTIES OF DIRECTOR OF DEPARTMENT OF DEFENSE TEST RESOURCE MANAGEMENT CENTER WITH RESPECT TO THE MAJOR RANGE AND TEST FACILITY BASE.

(a) **AUTHORITY TO REVIEW PROPOSALS FOR SIGNIFICANT CHANGES.**—Section 196(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively;

(3) by inserting “(1)” before “The Director”;

(4) by redesignating subparagraphs (B), (C), and (D), as so redesignated, as subparagraphs (C), (D), and (E), respectively; and

(5) by inserting after subparagraph (A), as so redesignated, the following new subparagraph (B):

“(B) To review proposed significant changes to the test and evaluation facilities and resources of the Major Range and Test Facility Base before they are implemented by the Secretaries of the military departments or the heads of the Defense Agencies with test and evaluation responsibilities and advise the Secretary of Defense and the Under Secretary of Acquisition, Technology, and Logistics of the impact of such changes on the adequacy of such test and evaluation facilities and resources to meet the test and evaluation requirements of the Department.”.

(b) **ACCESS TO RECORDS AND DATA.**—Such section is further amended by adding at the end the following new paragraph:

“(2) The Director shall have access to all records and data of the test and evaluation activities, facilities, and elements of the Major Range and Test Facility Base, including the records and data of each military department and Defense Agency, that the Director considers necessary in order to carry out the Director's duties under paragraph (1)(B).”.

SEC. 213. GUIDANCE ON SPECIFICATION OF FUNDING REQUESTED FOR OPERATION, SUSTAINMENT, MODERNIZATION, AND PERSONNEL OF MAJOR RANGES AND TEST FACILITIES.

(a) **GUIDANCE ON SPECIFICATION OF FUNDING.**—The Secretary of Defense shall, acting through the Under Secretary of Defense (Comptroller) and the Director of the Department of Defense Test Resource Management Center, issue guidance on the specification by the military departments and Defense Agencies of amounts to be requested in the budget of the President for a fiscal year (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code) for funding for each facility and resource of the Major Range and Test Facility Base in connection with each of the following:

- (1) Operation.
- (2) Sustainment.
- (3) Investment and modernization.
- (4) Government personnel.
- (5) Contractor personnel.

(b) **APPLICABILITY.**—The guidance issued under subsection (a) shall apply with respect to budgets of the President for fiscal years after fiscal year 2010.

(c) **MAJOR RANGE AND TEST FACILITY BASE DEFINED.**—In this section, the term “Major Range and Test Facility Base” has the meaning given that term in section 196(h) of title 10, United States Code.

SEC. 214. PERMANENT AUTHORITY FOR THE JOINT DEFENSE MANUFACTURING TECHNOLOGY PANEL.

Section 2521 of title 10, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) **JOINT DEFENSE MANUFACTURING TECHNOLOGY PANEL.**—(1) There is in the Department of Defense the Joint Defense Manufacturing Technology Panel.

“(2)(A) The Chair of the Joint Defense Manufacturing Technology Panel shall be the head of the Panel. The Chair shall be appointed, on a rotating basis, from among the appropriate personnel of the military departments and Defense Agencies with manufacturing technology programs.

“(B) The Panel shall be composed of at least one individual from among appropriate personnel of each military department and Defense Agency with manufacturing technology programs. The Panel may include as ex-officio members such individuals from other government organizations, academia, and industry as the Chair considers appropriate.

“(3) The purposes of the Panel shall be as follows:

“(A) To identify and integrate requirements for the program.

“(B) To conduct joint planning for the program.

“(C) To develop joint strategies for the program.

“(4) In carrying out the purposes specified in paragraph (3), the Panel shall perform the functions as follows:

“(A) Conduct comprehensive reviews and assessments of defense-related manufacturing issues being addressed by the manufacturing technology programs and related activities of the Department of Defense.

“(B) Execute strategic planning to identify joint planning opportunities for increased cooperation in the development and implementation of technological products and the leveraging of funding for such purposes with the private sector and other government agencies.

“(C) Ensure the integration and coordination of requirements and programs under the program with Office of the Secretary of Defense and other national-level initiatives, including

the establishment of information exchange processes with other government agencies, private industry, academia, and professional associations.

“(D) Conduct such other functions as the Under Secretary of Defense for Acquisition, Technology, and Logistics shall specify.

“(5) The Panel shall report to and receive direction from the Director of Defense Research and Engineering on manufacturing technology issues of multi-service concern and application.

“(6) The administrative expenses of the Panel shall be borne by each military department and Defense Agency with manufacturing technology programs in such manner as the Panel shall provide.”.

SEC. 215. EXTENSION AND ENHANCEMENT OF GLOBAL RESEARCH WATCH PROGRAM.

(a) **LIMITATION ON AVAILABILITY OF CERTAIN FUNDS FOR MILITARY DEPARTMENTS PENDING PROVISION OF ASSISTANCE UNDER PROGRAM.**—Subsection (d) of section 2365 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3)(A) Funds available to a military department for a fiscal year for monitoring or analyzing the research activities and capabilities of foreign nations may not be obligated or expended until the Director certifies to the Under Secretary of Defense for Acquisition, Technology, and Logistics that the Secretary of such military department has provided the assistance required under paragraph (2).

“(B) The limitation in subparagraph (A) shall not be construed to alter or effect the availability to a military department of funds for intelligence activities.”.

(b) **FOUR-YEAR EXTENSION OF PROGRAM.**—Subsection (f) of such section is amended by striking “September 30, 2011” and inserting “September 30, 2015”.

SEC. 216. THREE-YEAR EXTENSION OF AUTHORITY FOR PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Section 2374a(f) of title 10, United States Code, is amended by striking “September 30, 2010” and inserting “September 30, 2013”.

SEC. 217. MODIFICATION OF REPORT REQUIREMENTS REGARDING DEFENSE SCIENCE AND TECHNOLOGY PROGRAM.

Section 212 of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 2501 note) is amended by striking subsection (b), (c), and (d) and inserting the following new subsections:

“(b) **FUNDING OBJECTIVE.**—It is the sense of Congress that it should be an objective of the Secretary of Defense to increase the budget for the Defense Science and Technology Program, including the science and technology program of each military department, for each fiscal year after fiscal year 2010 over the budget for that program for the preceding fiscal year by a percent that is at least equal to the rate of inflation, as determined by the Office of Management and Budget.

“(c) **ACTIONS FOLLOWING FAILURE TO COMPLY WITH OBJECTIVE.**—If the proposed budget of the Department of Defense for a fiscal year fails to comply with the objective set forth in subsection (b), the Secretary of Defense shall submit to the congressional defense committees each of the following:

“(1) Not later than 60 days after the proposed budget is submitted to Congress, a detailed, prioritized list, including estimates of required funding, of proposals for science and technology projects received by the Department through competitive solicitations in the fiscal year preceding the fiscal year covered by the proposed budget which were not funded but represent science and technology opportunities that support the research and development programs and goals of the military departments and the Defense Agencies.

“(2) Not later than six months after the proposed budget is submitted to Congress, an inde-

pendent assessment, in both classified and unclassified form (as necessary), of any research, technology, or engineering areas that are of interest to the Department in which the United States may not have global technical leadership within the next 10 years.

“(d) **SUNSET.**—The requirements of this section shall terminate on December 31, 2014.”.

SEC. 218. PROGRAMS FOR GROUND COMBAT VEHICLE AND SELF PROPELLED HOWITZER CAPABILITIES FOR THE ARMY.

(a) **PROGRAMS REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Defense shall carry out a separate program to achieve each of the following:

(A) The development, test, and fielding of an operationally effective, suitable, survivable, and affordable next generation ground combat vehicle for the Army.

(B) The development, test, and fielding of an operationally effective, suitable, survivable, and affordable next generation self-propelled howitzer capability for the Army.

(2) **COMPLIANCE WITH CERTAIN ACQUISITION REQUIREMENTS.**—Each program under paragraph (1) shall comply with the requirements of the Weapons Systems Acquisition Reform Act of 2009, and the amendments made by that Act.

(b) **STRATEGY AND PLAN FOR ACQUISITION.**—

(1) **IN GENERAL.**—Not later than March 31, 2010, the Secretary shall submit to the congressional defense committees a report setting forth a strategy and plan for the acquisition of weapon systems under the programs required by subsection (a). Each strategy and plan shall include measurable goals and objectives for the acquisition of such weapon systems, and shall identify all proposed major development, testing, procurement, and fielding events toward the achievement of such goals and objectives.

(2) **ELEMENTS.**—In developing each strategy and plan under paragraph (1), the Secretary shall consider the following:

(A) A single vehicle or family of vehicles utilizing a common chassis and automotive components.

(B) The incorporation of weapon, vehicle, communications, network, and system of systems common operating environment technologies developed under the Future Combat Systems program.

(c) **ANNUAL REPORTS.**—

(1) **REPORTS REQUIRED.**—The Secretary shall submit to the congressional defense committees, at the same time the President submits to Congress the budget for each of fiscal years 2011 through 2015 (as submitted pursuant to section 1105(a) of title 31, United States Code), a report on the investments proposed to be made under such budget with respect to each program required by subsection (a).

(2) **ELEMENTS.**—Each report under paragraph (1) shall set forth, for the fiscal year covered by the budget with which such report is submitted—

(A) the manner in which amounts requested in such budget would be available for each program required by subsection (a); and

(B) an assessment of the extent to which utilizing such amount in such manner would improve ground combat capabilities for the Army.

SEC. 219. ASSESSMENT OF TECHNOLOGICAL MATURITY AND INTEGRATION RISK OF ARMY MODERNIZATION PROGRAMS.

(a) **ASSESSMENT REQUIRED.**—The Director of Defense Research and Engineering shall, in consultation with the Director of Developmental Test and Evaluation, review and assess the technological maturity and integration risk of critical technologies (as jointly identified by the Director and the Secretary of the Army for purposes of this section) of Army modernization programs and appropriate associated programs, including the programs as follows:

(1) Manned Ground Vehicle and Ground Combat Vehicle.

(2) Future Combat Systems network hardware and software.

(3) Warfighter Information Network–Tactical, Increment 3.

(4) Joint Tactical Radio System.

(5) Reconnaissance unmanned aerial vehicles.

(6) Future Combat Systems Spin Out technologies.

(7) Any other programs jointly identified by the Director and the Secretary for purposes of this section.

(b) **REPORT.**—Not later than nine months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the technological maturity and integration risk of critical technologies of Army modernization and associated programs covered by the review and assessment required under subsection (a), as determined pursuant to that assessment.

SEC. 220. ASSESSMENT OF STRATEGY FOR TECHNOLOGY FOR MODERNIZATION OF THE COMBAT VEHICLE AND TACTICAL WHEELED VEHICLE FLEETS.

(a) **INDEPENDENT ASSESSMENT OF STRATEGY REQUIRED.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an appropriate entity independent of the United States Government to conduct an independent assessment of current, anticipated, and potential research and engineering activities for or applicable to the modernization of the combat vehicle fleet and tactical wheeled vehicle fleet of the Department of Defense.

(2) **ACCESS TO INFORMATION AND RESOURCES.**—The Secretary shall provide the entity with which the Secretary contracts under paragraph (1) access to such information and resources as are appropriate to conduct the assessment required by that paragraph.

(b) **REPORT.**—

(1) **IN GENERAL.**—The contract required by subsection (a) shall provide that the entity with which the Secretary contracts under that subsection shall submit to the Secretary of Defense and the congressional defense committees a report on the assessment required by that subsection not later than December 31, 2010.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A detailed discussion of the requirements and capability needs identified or proposed for current and prospective combat vehicles and tactical wheeled vehicles.

(B) An identification of capability gaps for combat vehicles and tactical wheeled vehicles based on lessons learned from recent conflicts and an assessment of emerging threats.

(C) An identification of the critical technology elements or integration risks associated with particular categories of combat vehicles and tactical wheeled vehicles, and with particular missions of such vehicles.

(D) Recommendations for a plan to develop and deploy within the next 10 years critical technology capabilities to address the capability gaps identified pursuant to subparagraph (B), including an identification of high priority science and technology, research & engineering, and prototyping opportunities.

(E) Such other matters as the Secretary considers appropriate.

SEC. 221. SYSTEMS ENGINEERING AND PROTOTYPING PROGRAM.

(a) **PROGRAM REQUIRED.**—The Secretary of Defense shall, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, carry out a program to encourage and fund systems engineering and prototyping efforts in support of Department of Defense goals and missions.

(b) **OBJECTIVES.**—The objectives of the program required by subsection (a) shall be as follows:

(1) To develop system prototypes for systems that provide capabilities supportive of addressing Department of Defense goals, needs, and requirements.

(2) To successfully demonstrate new systems in relevant environments.

(3) To encourage the training of systems engineers and the development of systems engineering tools and practices.

(c) **SELECTION OF PROJECTS.**—

(1) **PROGRAM AREAS.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in consultation with the military departments and the Defense Agencies, designate general areas for systems engineering and prototype projects under the program required by subsection (a).

(2) **SOLICITATION OF PROJECTS.**—The Under Secretary shall solicit for the selection of projects under the program within the areas designated under paragraph (1) from among other government entities, federally-funded research and development centers, academia, the private sector, and such other persons, organizations, and entities as the Under Secretary considers appropriate.

(3) **SELECTION.**—The Under Secretary shall select projects for implementation under the program from among responses to the solicitations made under paragraph (2). The Under Secretary shall select such projects on a competitive basis.

(d) **IMPLEMENTATION OF PROJECTS.**—For each project selected under subsection (c)(3), the Under Secretary of Defense for Acquisition, Technology, and Logistics shall designate a military department or Defense Agency to implement the project as part of the program required by subsection (a).

(e) **FUNDING OF PROJECTS.**—

(1) **IN GENERAL.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall, subject to paragraphs (2) and (3), provide funds for each project selected under subsection (c)(3) in an amount jointly determined by the Under Secretary and the acquisition executive of the military department or Defense Agency concerned.

(2) **LIMITATION ON AMOUNT OF FUNDS.**—The amount of funds provided to a project under paragraph (1) shall be not greater than the amount equal to 50 percent of the total cost of the project.

(3) **LIMITATION ON PERIOD OF FUNDING.**—A project may not be provided funds under this subsection for more than three fiscal years.

(4) **SOURCE OF OTHER FUNDING.**—Any funds required for a project under this section that are not provided under this subsection shall be derived from funds available to the military department or Defense Agency concerned, or another appropriate source other than this subsection.

(f) **ANNUAL REPORT.**—Not later than March 31 each year, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the activities carried out under the program required by subsection (a) during the preceding fiscal year.

(g) **ACQUISITION EXECUTIVE DEFINED.**—In this section, the term “acquisition executive”, with respect to a military department or Defense Agency, means the official designated as the senior procurement executive for the military department or Defense Agency for the purposes of section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414 (c)).

Subtitle C—Missile Defense Programs

SEC. 241. SENSE OF CONGRESS ON BALLISTIC MISSILE DEFENSE.

It is the sense of Congress that—

(1) the United States should develop, test, field, and maintain operationally effective, cost-effective, affordable, reliable, suitable, and survivable ballistic missile defense systems that are capable of defending the United States, its forward-deployed forces, allies, and other friendly nations from the threat of ballistic missile attacks from nations such as North Korea and Iran;

(2) the missile defense force structure and inventory levels of such missile defense systems

should be determined based on an assessment of ballistic missile threats and a determination by senior military leaders, combatant commanders, and defense officials of the requirements and capabilities needed to address those threats; and

(3) the test and evaluation program for such missile defense systems should be rigorous, robust, operationally realistic, and capable of providing a high level of confidence in the capability of such systems (including their continuing effectiveness over the course of their service lives), and adequate resources should be available for that test and evaluation program (including interceptor missiles and targets for flight tests).

SEC. 242. COMPREHENSIVE PLAN FOR TEST AND EVALUATION OF THE BALLISTIC MISSILE DEFENSE SYSTEM.

(a) **PLAN REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Defense shall establish a comprehensive plan for the developmental and operational testing and evaluation of the Ballistic Missile Defense System and its various elements.

(2) **PERIOD OF PLAN.**—The plan shall cover the period covered by the future-years defense program that is submitted to Congress under section 221 of title 10, United States Code, at or about the same time as the submittal to Congress of the budget of the President for fiscal year 2011.

(3) **INPUT.**—In establishing the plan, the Secretary shall receive input on matters covered by the plan from the following:

(A) The Director of the Missile Defense Agency.

(B) The Director of Operational Test and Evaluation.

(C) The operational test components of the military departments.

(b) **ELEMENTS.**—The plan required by subsection (a) shall include, with regard to developmental and operational testing of the Ballistic Missile Defense System, the following:

(1) Test and evaluation objectives.

(2) Test and evaluation criteria and metrics.

(3) Test and evaluation procedures and methodology.

(4) Data requirements.

(5) System and element configuration under test.

(6) Approaches to verification, validation, and accreditation of models and simulations.

(7) The relative role of models and simulations, ground tests, and flight tests in achieving the objectives of the plan.

(8) Test infrastructure and resources, including test range limitations and potential range enhancements.

(9) Test readiness review approaches and methodology.

(10) Testing for system and element integration and interoperability.

(11) Means for achieving operational realism and means of demonstrating operational effectiveness, suitability and survivability.

(12) Detailed descriptions of planned tests.

(13) A description of the resources required to implement the plan.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than March 1, 2011, the Secretary shall submit to the congressional defense committees a report setting forth and describing the plan required by subsection (a) and each of the elements required in the plan under subsection (b).

(2) **ADDITIONAL INFORMATION ON GROUND-BASED MIDCOURSE DEFENSE.**—The report required by this subsection shall, in addition to the matters specified in paragraph (1), include a detailed description of the test and evaluation activities pertaining to the Ground-based Midcourse Defense (GMD) element of the Ballistic Missile Defense System as follows:

(A) Plans for salvo testing.

(B) Plans for multiple simultaneous engagement testing.

(C) Plans for intercept testing using the Cobra Dane radar as the engagement sensor.

(D) Plans to test and demonstrate the ability of the system to accomplish its mission over the planned term of its operational service life (also known as "sustainment testing").

(3) **FORM.**—The report required by this subsection shall be submitted in unclassified form, but may include a classified annex.

SEC. 243. ASSESSMENT AND PLAN FOR THE GROUND-BASED MIDCOURSE DEFENSE ELEMENT OF THE BALLISTIC MISSILE DEFENSE SYSTEM.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Ground-based Midcourse Defense (GMD) element of the Ballistic Missile Defense System should be an operationally effective, cost-effective, affordable, reliable, suitable, and survivable system capable of defending the United States from the threat of long-range missile attacks from nations such as North Korea and Iran, and adequate resources should be available to create and maintain such a capability (including continuing effectiveness over the course of its service life);

(2) the force structure and inventory levels of the Ground-based Midcourse Defense element should be determined based on an assessment of ballistic missile threats from nations such as North Korea and Iran and a determination by senior military leaders, combatant commanders, and defense officials of the requirements and capabilities needed to address those threats; and

(3) the test and evaluation program for the Ground-based Midcourse Defense element should be rigorous, robust, operationally realistic, and capable of providing a high degree of confidence in the capability of the system (including testing to demonstrate the continuing effectiveness of the system over the course of its service life), and adequate resources should be available for that test and evaluation program (including interceptor missiles and targets for flight tests).

(b) **ASSESSMENT REQUIRED.**—

(1) **IN GENERAL.**—As part of the Quadrennial Defense Review and the Ballistic Missile Defense Review, the Secretary of Defense shall conduct an assessment of the following:

(A) Ground-based Midcourse Defense element of the Ballistic Missile Defense System.

(B) Future options for the Ground-based Midcourse Defense element.

(2) **ELEMENTS.**—The assessment required by paragraph (1) shall include an assessment of the following:

(A) The ballistic missile threat against which the Ground-based Midcourse Defense element is intended to defend.

(B) The military requirement for Ground-based Midcourse Defense capabilities against such missile threat.

(C) The current capabilities of the Ground-based Midcourse Defense element.

(D) The planned capabilities of the Ground-based Midcourse Defense element, if different from the capabilities under subparagraph (B).

(E) The force structure and inventory levels necessary for the Ground-based Midcourse Defense element to achieve the planned capabilities of that element, including an analysis of the costs and the potential advantages and disadvantages of deploying 44 operational Ground-based Interceptor missiles.

(F) The infrastructure necessary to achieve such capabilities, including the number and location of operational silos.

(G) The number of Ground-based Interceptor missiles necessary for operational assets, test assets (including developmental and operational test assets and aging and surveillance test assets), and spare missiles.

(3) **REPORT.**—At or about the same time the budget of the President for fiscal year 2011 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary shall submit to the congressional defense committees a report setting forth the results of the assessment required by paragraph (1). The re-

port shall be in unclassified form, but may include a classified annex.

(c) **PLAN REQUIRED.**—

(1) **IN GENERAL.**—In addition to the assessment required by subsection (b), the Secretary shall establish a plan for the Ground-based Midcourse Defense element of the Ballistic Missile Defense System. The plan shall cover the period of the future-years defense program that is submitted to Congress under section 221 of title 10, United States Code, at or about the same time as the submittal to Congress of the budget of the President for fiscal year 2011.

(2) **ELEMENTS.**—The plan required by paragraph (1) shall include the following elements:

(A) The schedule for achieving the planned capability of the Ground-based Midcourse Defense element, including the completion of operational silos, the delivery of operational Ground-Based Interceptors, and the deployment of such interceptors in those silos.

(B) The plan for funding the development, production, deployment, testing, improvement, and sustainment of the Ground-based Midcourse Defense element.

(C) The plan to maintain the operational effectiveness of the Ground-based Midcourse Defense element over the course of its service life, including any modernization or capability enhancement efforts, and any sustainment efforts.

(D) The plan for flight testing the Ground-based Midcourse Defense element, including aging and surveillance tests to demonstrate the continuing effectiveness of the system over the course of its service life.

(E) The plan for production of Ground-Based Interceptor missiles necessary for operational assets, developmental and operational test assets, aging and surveillance test assets, and spare missiles.

(3) **REPORT.**—At or about the same time the budget of the President for fiscal year 2011 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary shall submit to the congressional defense committees a report setting forth the plan required by paragraph (1). The report shall be in unclassified form, but may include a classified annex.

(d) **CONSTRUCTION.**—Nothing in this section shall be construed as altering or revising the continued production of all Ground-Based Interceptor missiles on contract as of June 23, 2009.

(e) **COMPTROLLER GENERAL REVIEW.**—The Comptroller General of the United States shall—

(1) review the assessment required by subsection (b) and the plan required by subsection (c); and

(2) not later than 120 days after receiving the assessment and the plan, provide to the congressional defense committees the results of the review.

SEC. 244. REPORT ON POTENTIAL MISSILE DEFENSE COOPERATION WITH RUSSIA.

(a) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth potential options for cooperation among or between the United States, the North Atlantic Treaty Organization (NATO), and the Russian Federation on ballistic missile defense.

(2) **FORM.**—The report shall be submitted in unclassified form, but may include a classified annex.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A description of proposals made by the United States, the North Atlantic Treaty Organization, or the Russian Federation since January 1, 2007, for potential missile defense cooperation among or between such countries and that organization, including data sharing, cooperative regional missile defense architectures, joint exercises, and transparency and confidence building measures.

(2) A description of options for the sharing by such countries and that organization of ballistic

missile surveillance or early warning data, including data from the Russian early warning radars at Gabala in Azerbaijan, and Armavir in southern Russia or other radars, such as the United States radar proposed for deployment in the Czech Republic.

(3) An assessment of the potential for implementation of the agreement between the United States and the Russian Federation on the establishment of a Joint Data Exchange Center.

(4) An assessment of the potential for missile defense cooperation between the Russian Federation and the North Atlantic Treaty Organization, including through the NATO-Russia Council.

(5) An assessment of the potential security benefits to the United States, Russia, and the North Atlantic Treaty Organization of the cooperation described in paragraph (4).

(6) Such other matters as the Secretary considers appropriate.

SEC. 245. CONTINUED PRODUCTION OF GROUND-BASED INTERCEPTOR MISSILE AND OPERATION OF MISSILE FIELD 1 AT FORT GREELY, ALASKA.

(a) **LIMITATION ON BREAK IN PRODUCTION.**—The Secretary of Defense shall ensure that the Missile Defense Agency does not allow a break in production of the Ground-based Interceptor missile until the Department of Defense has—

(1) completed the Ballistic Missile Defense Review; and

(2) made a determination with respect to the number of Ground-based Interceptor missiles that will be necessary to support the service life of the Ground-based Midcourse Defense element of the Ballistic Missile Defense System.

(b) **LIMITATION ON CERTAIN ACTIONS WITH RESPECT TO MISSILE FIELD 1 AND MISSILE FIELD 2 AT FORT GREELY, ALASKA.**—

(1) **LIMITATION ON DECOMMISSIONING OF MISSILE FIELD 1.**—The Secretary of Defense shall ensure that Missile Field 1 at Fort Greely, Alaska, does not complete decommissioning until seven silos have been emplaced at Missile Field 2 at Fort Greely.

(2) **LIMITATION WITH RESPECT TO DISPOSITION OF SILOS AT MISSILE FIELD 2.**—The Secretary of Defense shall ensure that no irreversible decision is made with respect to the disposition of operational silos at Missile Field 2 at Fort Greely, Alaska, until that date that is 60 days after the date on which the reports required by subsections (b)(3) and (c)(3) of section 243 are submitted to the congressional defense committees.

SEC. 246. SENSE OF SENATE ON AND RESERVATION OF FUNDS FOR DEVELOPMENT AND DEPLOYMENT OF MISSILE DEFENSE SYSTEMS IN EUROPE.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) In the North Atlantic Treaty Organization (NATO) Bucharest Summit Declaration of April 3, 2008, the Heads of State and Government participating in the meeting of the North Atlantic Council declared that "[b]allistic missile proliferation poses an increasing threat to Allies' forces, territory and populations. Missile defence forms part of a broader response to counter this threat. We therefore recognize the substantial contribution to the protection of Allies from long-range ballistic missiles to be provided by the planned deployment of European-based United States missile defence assets".

(2) The Bucharest Summit Declaration also stated that "[b]earing in mind the principle of the indivisibility of Allied security as well as NATO solidarity, we task the Council in Permanent Session to develop options for a comprehensive missile defence architecture to extend coverage to all Allied territory and populations not otherwise covered by the United States system for review at our 2009 Summit, to inform any future political decision".

(3) In the Bucharest Summit Declaration, the North Atlantic Council also reaffirmed to Russia that "current, as well as any future, NATO

Missile Defence efforts are intended to better address the security challenges we all face, and reiterate that, far from posing a threat to our relationship, they offer opportunities to deepen levels of cooperation and stability”.

(4) In the Strasbourg/Kehl Summit Declaration of April 4, 2009, the heads of state and government participating in the meeting of the North Atlantic Council reaffirmed “the conclusions of the Bucharest Summit about missile defense,” and declared that “we judge that missile threats should be addressed in a prioritized manner that includes consideration of the level of imminence of the threat and the level of acceptable risk”.

(5) Iran is rapidly developing its ballistic missile capabilities, including its inventory of short-range and medium-range ballistic missiles that can strike portions of Eastern and Southern North Atlantic Treaty Organization European territory, as well as the pursuit of long-range ballistic missiles that could reach Europe or the United States.

(6) On July 8, 2008, the Government of the United States and the Government of the Czech Republic signed an agreement to base a radar facility in the Czech Republic that is part of a proposed missile defense system to protect Europe and the United States against a potential future Iranian long-range ballistic missile threat.

(7) On August 20, 2008, the United States and the Republic of Poland signed an agreement concerning the deployment of ground-based ballistic missile defense interceptors in the territory of the Republic of Poland.

(8) Section 233 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4393; 10 U.S.C. 2431 note) establishes conditions for the availability of funds for procurement, construction, and deployment of the planned missile defense system in Europe, including that the host nations must ratify any missile defense agreements with the United States and that the Secretary of Defense must certify that the system has demonstrated the ability to accomplish the mission.

(9) On April 5, 2009, President Barack Obama, speaking in Prague, Czech Republic, stated, “As long as the threat from Iran persists, we will go forward with a missile defense system that is cost-effective and proven. If the Iranian threat is eliminated, we will have a stronger basis for security, and the driving force for missile defense construction in Europe will be removed.”.

(10) On June 16, 2009, Deputy Secretary of Defense William Lynn testified before the Committee on Armed Services of the Senate that the United States Government is reviewing its options for developing and deploying operationally effective, cost-effective missile defense capabilities to Europe against potential future Iranian missile threats, in addition to the proposed deployment of a missile defense system in Poland and the Czech Republic.

(11) On July 9, 2009, General James Cartwright, the Vice Chairman of the Joint Chiefs of Staff, testified before the Committee on Armed Services of the Senate that the Department of Defense was considering some 40 different missile defense architecture options for Europe that could provide a “regional defense capability to protect the nations” of Europe, and a “redundant capability that would assist in protecting the United States,” and that the Department was considering “what kind of an architecture best suits the defense of the region, the defense of the homeland, and the regional stability”.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States Government should continue developing and planning for the proposed deployment of elements of a Ground-based Midcourse Defense (GMD) system, including a midcourse radar in the Czech Republic and Ground-Based Interceptors in Poland, consistent with section 233 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009;

(2) in conjunction with the continued development of the planned Ground-based Midcourse Defense system, the United States should work with its North Atlantic Treaty Organization allies to explore a range of options and architectures to provide missile defenses for Europe and the United States against current and future Iranian ballistic missile capabilities;

(3) any alternative system that the United States Government considers deploying in Europe to provide for the defense of Europe and a redundant defense of the United States against future long-range Iranian missile threats should be at least as capable and cost-effective as the proposed European deployment of the Ground-based Midcourse Defense system; and

(4) any missile defense capabilities deployed in Europe should, to the extent practical, be interoperable with United States and North Atlantic Treaty Organization missile defense systems.

(c) RESERVATION OF FUNDS FOR MISSILE DEFENSE SYSTEMS.—

(1) IN GENERAL.—Of the funds authorized to be appropriated or otherwise made available for fiscal years 2009 and 2010 for the Missile Defense Agency for the purpose of developing missile defenses in Europe, \$353,100,000 shall be available only for the purposes described in paragraph (2).

(2) USE OF FUNDS.—The purposes described in this paragraph are the following:

(A) Research, development, test, and evaluation of—

(i) the proposed midcourse radar element of the Ground-based Midcourse Defense system in the Czech Republic; and

(ii) the proposed long-range missile defense interceptor site element of such defense system in Poland.

(B) Research, development, test, and evaluation, procurement, construction, or deployment of other missile defense systems designed to protect Europe, and the United States in the case of long-range missile threats, from the threats posed by current and future Iranian ballistic missiles of all ranges, if the Secretary of Defense submits to the congressional defense committees a report certifying that such systems are expected to be—

(i) consistent with the direction from the North Atlantic Council to address ballistic missile threats to Europe and the United States in a prioritized manner that includes consideration of the imminence of the threat and the level of acceptable risk;

(ii) operationally effective and cost-effective in providing protection for Europe, and the United States in the case of long-range missile threats, against current and future Iranian ballistic missile threats; and

(iii) interoperable, to the extent practical, with other components of missile defense and complementary to the missile defense strategy of the North Atlantic Treaty Organization.

(d) CONSTRUCTION.—Nothing in this section shall be construed as limiting or preventing the Department of Defense from pursuing the development or deployment of operationally effective and cost-effective ballistic missile defense systems in Europe.

SEC. 247. EXTENSION OF DEADLINE FOR STUDY ON BOOST-PHASE MISSILE DEFENSE.

Section 232(c)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4392) is amended by striking “October 31, 2010” and inserting “March 1, 2011”.

Subtitle D—Other Matters

SEC. 251. REPEAL OF REQUIREMENT FOR BIENNIAL JOINT WARFIGHTING SCIENCE AND TECHNOLOGY PLAN.

Section 270 of the National Defense Authorization Act for Fiscal Year 1997 (10 U.S.C. 2501 note) is repealed.

SEC. 252. MODIFICATION OF REPORTING REQUIREMENT FOR DEFENSE NANO-TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

Section 246 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 2358 note) is amended by striking subsection (e) and inserting the following new subsection (e):

“(e) REPORTS.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the National Science and Technology Council information on the program that covers the information described in paragraphs (1) through (5) of section 2(d) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(d)) to be included in the annual report submitted by the Council under that section.”.

SEC. 253. EVALUATION OF EXTENDED RANGE MODULAR SNIPER RIFLE SYSTEMS.

(a) IN GENERAL.—Not later than March 31, 2010, the Assistant Secretary of the Army for Acquisition, Logistics, and Technology shall conduct a comparative evaluation of extended range modular sniper rifle systems, including .300 Winchester Magnum, .338 Lapua Magnum, and other calibers. The evaluation shall identify and demonstrate an integrated suite of technologies capable of—

(1) extending the effective range of snipers;

(2) meeting service or unit requirements or operational need statements; or

(3) closing documented capability gaps.

(b) FUNDING.—The Assistant Secretary of the Army for Acquisition, Logistics, and Technology shall conduct the evaluation required by subsection (a) using amounts appropriated for fiscal year 2009 for extended range modular sniper rifle system research (PE # 0604802A) that are unobligated.

(c) REPORT.—Not later than April 30, 2010, the Assistant Secretary of the Army for Acquisition, Logistics, and Technology shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the results of the evaluation required by subsection (a), including—

(1) detailed ballistics and system performance data; and

(2) an assessment of the operational capabilities of extended range modular sniper rifle systems to meet service or unit requirements or operational need statements or close documented capabilities gaps.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Armed Forces and other activities and agencies of the Department of Defense, for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

- (1) For the Army, \$30,932,882,000.
- (2) For the Navy, \$35,890,046,000.
- (3) For the Marine Corps, \$5,547,223,000.
- (4) For the Air Force, \$34,053,559,000.
- (5) For Defense-wide activities, \$27,645,997,000.
- (6) For the Army Reserve, \$2,623,796,000.
- (7) For the Navy Reserve, \$1,278,501,000.
- (8) For the Marine Corps Reserve, \$228,925,000.
- (9) For the Air Force Reserve, \$3,079,228,000.
- (10) For the Army National Guard, \$6,260,634,000.
- (11) For the Air National Guard, \$5,888,461,000.
- (12) For the United States Court of Appeals for the Armed Forces, \$13,932,000.
- (13) For the Acquisition Development Workforce Fund, \$100,000,000.
- (14) For Environmental Restoration, Army, \$415,864,000.

(15) For Environmental Restoration, Navy, \$285,869,000.

(16) For Environmental Restoration, Air Force, \$494,276,000.

(17) For Environmental Restoration, Defense-wide, \$11,100,000.

(18) For Environmental Restoration, Formerly Used Defense Sites, \$267,700,000.

(19) For Overseas Humanitarian, Disaster and Civic Aid programs, \$109,869,000.

(20) For Cooperative Threat Reduction programs, \$424,093,000.

(21) For Overseas Contingency Operations Transfer Fund, \$5,000,000.

(b) FUNDING TABLE.—The amounts authorized by subsection (a) shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4301.

Subtitle B—Environmental Provisions

SEC. 311. REIMBURSEMENT OF ENVIRONMENTAL PROTECTION AGENCY FOR CERTAIN COSTS IN CONNECTION WITH THE FORMER NANSEMOND ORDNANCE DEPOT SITE, SUFFOLK, VIRGINIA.

(a) AUTHORITY TO REIMBURSE.—

(1) TRANSFER AMOUNT.—Using funds described in subsection (b) and notwithstanding section 2215 of title 10, United States Code, the Secretary of Defense may transfer not more than \$68,623 during fiscal year 2010 to the Former Nansemond Ordnance Depot Site Special Account, within the Hazardous Substance Superfund.

(2) PURPOSE OF REIMBURSEMENT.—The payment under paragraph (1) is final payment to reimburse the Environmental Protection Agency for all costs incurred in overseeing a time critical removal action performed by the Department of Defense under the Defense Environmental Restoration Program for ordnance and explosive safety hazards at the Former Nansemond Ordnance Depot Site, Suffolk, Virginia.

(3) INTERAGENCY AGREEMENT.—The reimbursement described in paragraph (2) is provided for in an interagency agreement entered into by the Department of the Army and the Environmental Protection Agency for the Former Nansemond Ordnance Depot Site in December 1999.

(b) SOURCE OF FUNDS.—Any payment under subsection (a) shall be made using funds authorized to be appropriated by section 301(a)(18) for operation and maintenance for Environmental Restoration, Formerly Used Defense Sites.

(c) USE OF FUNDS.—The Environmental Protection Agency shall use the amount transferred under subsection (a) to pay costs incurred by the Agency at the Former Nansemond Ordnance Depot Site.

Subtitle C—Workplace and Depot Issues

SEC. 321. MODIFICATION OF AUTHORITY FOR ARMY INDUSTRIAL FACILITIES TO ENGAGE IN COOPERATIVE ACTIVITIES WITH NON-ARMY ENTITIES.

(a) CLARIFICATION OF AUTHORITY TO ENTER INTO COOPERATIVE AGREEMENTS.—The second sentence of section 4544(a) of title 10, United States Code, as added by section 328(a)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 66), is amended by inserting after “not more than eight contracts or cooperative agreements” the following: “in addition to the contracts and cooperative agreements in place as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181)”.

(b) ADDITIONAL ELEMENTS REQUIRED FOR ANALYSIS OF USE OF AUTHORITY.—Section 328(b)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 67) is amended—

(1) by striking “a report assessing the advisability” and inserting the following: “a report—

“(A) assessing the advisability”; and
(2) by striking “pursuant to such authority.” and inserting the following: “pursuant to such authority;

“(B) assessing the benefit to the Federal Government of using such authority;

“(C) assessing the impact of the use of such authority on the availability of facilities needed by the Army and on the private sector; and

“(D) describing the steps taken to comply with the requirements under section 4544(g) of title 10, United States Code.”.

SEC. 322. IMPROVEMENT OF INVENTORY MANAGEMENT PRACTICES.

(a) INVENTORY MANAGEMENT PRACTICES IMPROVEMENT PLAN REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan for improving the inventory management systems of the military departments and the Defense Logistics Agency with the objective of reducing the acquisition and storage of secondary inventory that is excess to requirements.

(b) ELEMENTS.—The plan under subsection (a) shall include the following:

(1) A plan for a comprehensive review of demand-forecasting procedures to identify and correct any systematic weaknesses in such procedures, including the development of metrics to identify bias toward over-forecasting and adjust forecasting methods accordingly.

(2) A plan to accelerate the efforts of the Department of Defense to achieve total asset visibility, including efforts to link wholesale and retail inventory levels through multi-echelon modeling.

(3) A plan to reduce the average level of on-order secondary inventory that is excess to requirements, including a requirement for the systemic review of such inventory for possible contract termination.

(4) A plan for the review and validation of methods used by the military departments and the Defense Logistics Agency to establish economic retention requirements.

(5) A plan for an independent review of methods used by the military departments and the Defense Logistics Agency to establish contingency retention requirements.

(6) A plan to identify items stored in secondary inventory that require substantial amounts of storage space and shift such items, where practicable, to direct vendor delivery.

(7) A plan for a comprehensive assessment of inventory items on hand that have no recurring demands, including the development of—

(A) metrics to track years of no demand for items in stock; and

(B) procedures for ensuring the systemic review of such items for potential reutilization or disposal.

(8) A plan to more aggressively pursue disposal reviews and actions on stocks identified for potential reutilization or disposal.

(c) GAO REPORTS.—

(1) ASSESSMENT OF PLAN.—Not later than 60 days after the date on which the plan required by subsection (a) is submitted as specified in that subsection, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment of the extent to which the plan meets the requirements of this section.

(2) ASSESSMENT OF IMPLEMENTATION.—Not later than 18 months after the date on which the plan required by subsection (a) is submitted, the Comptroller General shall submit to the congressional defense committees a report setting forth an assessment of the extent to which the plan has been effectively implemented by each military department and by the Defense Logistics Agency.

(d) INVENTORY THAT IS EXCESS TO REQUIREMENTS DEFINED.—In this section, the term “inventory that is excess to requirements” means inventory that—

(1) is excess to the approved acquisition objective concerned; and

(2) is not needed for the purposes of economic retention or contingency retention.

SEC. 323. TEMPORARY SUSPENSION OF AUTHORITY FOR PUBLIC-PRIVATE COMPETITIONS.

(a) TEMPORARY SUSPENSION.—During the period beginning on the date of the enactment of this Act and ending on the date on which the Secretary of Defense submits to the congressional defense committees the certification described in subsection (b), no study or public-private competition regarding the conversion to contractor performance of any function of the Department of Defense performed by civilian employees may be begun or announced pursuant to section 2461 of title 10, United States Code, Office of Management and Budget Circular A-76, or any other authority.

(b) CERTIFICATION.—The certification described in this subsection is a certification that—

(1) the Secretary of Defense has completed and submitted to Congress a complete inventory of contracts for services for or on behalf of the Department of Defense in compliance with the requirements of subsection (c) of section 2330a of title 10, United States Code; and

(2) the Secretary of each military department and the head of each Defense Agency responsible for activities in the inventory is in compliance with the review and planning requirements of subsection (e) of such section.

SEC. 323A. PUBLIC-PRIVATE COMPETITION REQUIRED BEFORE CONVERSION OF ANY DEPARTMENT OF DEFENSE FUNCTION PERFORMED BY CIVILIAN EMPLOYEES TO CONTRACTOR PERFORMANCE.

(a) REQUIREMENT.—Section 2461(a)(1) of title 10, United States Code, is amended—

(1) by striking “A function” and inserting “No function”;

(2) by striking “10 or more”; and

(3) by striking “may not be converted” and inserting “may be converted”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to a function for which a public-private competition is commenced on or after the date of the enactment of this Act.

SEC. 323B. TIME LIMITATION ON DURATION OF PUBLIC-PRIVATE COMPETITIONS.

(a) TIME LIMITATION.—Section 2461(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5)(A) The duration of a public-private competition conducted pursuant to Office of Management and Budget Circular A-76 or any other provision of law for any function of the Department of Defense performed by Department of Defense civilian employees may not exceed the period of specified in paragraph (B), commencing on the date on which funds are obligated for contractor support of the preliminary planning for the public-private competition begins through the date on which a performance decision is rendered with respect to the function.

“(B) The period referred to in paragraph (A) is 30 months with respect to a single formation activity and 36 months with respect to a multi-formation activity.

“(C) The time period specified in subparagraph (A) for a public-private competition does not include any day during which the public-private competition is delayed by reason of a protest before the Government Accountability Office or the United States Court of Federal Claims.

“(D) In this paragraph, the term ‘preliminary planning’ with respect to a public-private competition means any action taken to carry out any of the following activities:

“(i) Determining the scope of the competition.

“(ii) Conducting research to determine the appropriate grouping of functions for the competition.

“(iii) Assessing the availability of workload data, quantifiable outputs of functions, and

agency or industry performance standards applicable to the competition.

“(iv) Determining the baseline cost of any function for which the competition is conducted.”.

(b) **EFFECTIVE DATE.**—Paragraph (5) of section 2461(a) of title 10, United States Code, as added by subsection (a), shall apply with respect to a public-private competition covered by such section that is being conducted on or after the date of the enactment of this Act.

SEC. 323C. TERMINATION OF CERTAIN PUBLIC-PRIVATE COMPETITIONS FOR CONVERSION OF DEPARTMENT OF DEFENSE FUNCTIONS TO PERFORMANCE BY A CONTRACTOR.

Any Department of Defense public-private competition that exceeds the time limits established in section 2461(a) shall be reviewed by the Secretary of Defense and considered for termination. If the Secretary of Defense does not terminate the competition, he shall report to Congress on the reasons for his decision.

SEC. 324. EXTENSION OF ARSENAL SUPPORT PROGRAM INITIATIVE.

Section 343 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (10 U.S.C. 4551 note), as amended by section 341 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 69), is amended—

(1) in subsection (a), by striking “2010” and inserting “2011”; and

(2) in subsection (g)(1), by striking “2010” and inserting “2011”.

SEC. 325. MODIFICATION OF DATE FOR SUBMITTAL TO CONGRESS OF ANNUAL REPORT ON FUNDING FOR PUBLIC AND PRIVATE PERFORMANCE OF DEPOT-LEVEL MAINTENANCE AND REPAIR WORKLOADS.

Section 2466(d)(1) of title 10, United States Code, is amended by striking “April 1 of each year” and inserting “90 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31”.

Subtitle D—Energy Provisions

SEC. 331. ENERGY SECURITY ON DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) **PLAN FOR ENERGY SECURITY REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan for identifying and addressing areas in which the electricity needed to carry out critical military missions on Department of Defense installations is vulnerable to disruption.

(2) **ELEMENTS.**—The plan developed under paragraph (1) shall include, at a minimum, the following:

(A) An identification of the areas of vulnerability as described in paragraph (1), and an identification of priorities in addressing such areas of vulnerability.

(B) A schedule for the actions to be taken by the Department to address such areas of vulnerability.

(C) A strategy for working with other public or private sector entities to address such areas of vulnerability that are beyond the control of the Department.

(b) **WORK WITH NON-DEPARTMENT OF DEFENSE ENTITIES.**—

(1) **IN GENERAL.**—The Secretary of Defense shall work with other Federal entities, and with State and local government entities, to develop any regulations or other mechanisms needed to require or encourage actions to address areas of vulnerability identified pursuant to the plan developed under subsection (a) that are beyond the control of the Department of Defense.

(2) **CONTRACT AUTHORITY.**—Where necessary to achieve the purposes of this section, the Secretary may enter into a contract, grant, or other agreement with one or more appropriate public or private sector entities under which such entity or entities agree to carry out actions required

to address areas of vulnerability identified pursuant to the plan developed under subsection (a) that are beyond the control of the Department. Any such contract, grant, or agreement may provide for the full or partial reimbursement of the entity concerned by the Department for actions taken by the entity under such contract, grant, or agreement.

SEC. 332. EXTENSION AND EXPANSION OF REPORTING REQUIREMENTS REGARDING DEPARTMENT OF DEFENSE ENERGY EFFICIENCY PROGRAMS.

(a) **NEW REPORTING REQUIREMENTS.**—Section 317(e) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1054) is amended to read as follows:

“(e) **REPORTING REQUIREMENTS.**—

“(1) **IN GENERAL.**—Not later one year after the date of the enactment of this Act, and each January 1 thereafter through 2020, the Secretary shall submit to the congressional defense a report regarding progress made toward achieving the energy efficiency goals of the Department of Defense, consistent with the provisions of section 303 of Executive Order 13123 (64 Fed. Reg. 30851; 42 U.S.C. 8521 note) and section 11(b) of Executive Order 13423 (72 Fed. Reg. 3919; 42 U.S.C. 4321 note).

“(2) **REPORTS SUBMITTED AFTER JANUARY 1, 2009.**—Each report required under paragraph (1) that is submitted after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010 shall include the following:

“(A) A table detailing funding, by account, for all energy projects and investments.

“(B) A description of the funding and steps taken to achieve the renewable energy goals in the Energy Policy Act of 2005 (42 U.S.C. 15801 et seq.) and Executive Order 13423 by fiscal year 2015, and section 2911(e) of title 10, United States Code, by fiscal year 2025.

“(C) A description of steps taken to ensure that facility and installation management goals are consistent with current legislative and other requirements, including applicable requirements under the Energy Independence and Security Act of 2007 (Public Law 110-140).

“(D) A description of steps taken to determine best practices for measuring energy consumption in Department of Defense facilities and installations in order to use the data for better energy management.

“(E) A description of steps taken to comply with requirements of the Energy Independence and Security Act of 2007, including new design and construction requirements for buildings.

“(F) A description of steps taken to comply with section 533 of the National Energy Conservation Policy Act (42 U.S.C. 8259b), regarding the supply by the General Services Administration and the Defense Logistics Agency of Energy Star and Federal Energy Management Program (FEMP) designated products to its Department of Defense customers.

“(G) A description of steps taken to encourage the use of Energy Star and FEMP designated products at military installations in government or contract maintenance activities.

“(H) A description of steps taken to comply with standards for projects built using appropriated funds and established by the Energy Independence and Security Act of 2007 for privatized construction projects, whether residential, administrative, or industrial.

“(I) A description of any other issues and strategies the Secretary determines relevant to a comprehensive and renewable energy policy.”.

(b) **ADDITIONAL MATERIAL REQUIRED FOR FIRST EXPANDED REPORT.**—The first report submitted by the Secretary of Defense under section 317(e) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1054), as amended by subsection (a), after the date of the enactment of this Act shall include, in addition to the matters required under such section, the following:

(1) A determination of whether the existing tools, such as the Energy Conservation Invest-

ment Program (ECIP) and the Energy Savings Performance Contracts (ESPC) program, are sufficient to support renewable energy projects to achieve the Department’s installation energy goals, or if new funding mechanisms would be beneficial.

(2) An appropriate goal or goals for the use of alternative fuels for ground vehicles, aircraft, sea vessels, and applicable weapons systems, taking into consideration a broad range of factors, including cost, availability, technological feasibility, energy independence and security, and environmental impact.

(3) A determination of the cost and feasibility of a policy that would require new power generation projects established on installations to be able to switch to provide power for military operations in the event of a commercial grid outage.

(4) An assessment of the extent to which State and regional laws and regulations and market structures provide opportunities or obstacles to establish renewable energy projects on military installations.

(5) A determination of the cost and feasibility of developing or acquiring equipment or systems that would result in the complete use of renewable energy sources at contingency locations.

(6) A determination of the cost and feasibility of implementing the recommendations of the 2008 Defense Science Board Report entitled, “More Fight – Less Fuel”.

SEC. 333. ALTERNATIVE AVIATION FUEL INITIATIVE.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Dependence on foreign sources of oil is detrimental to the national security of the United States due to possible disruptions in supply.

(2) The Department of Defense is the largest single consumer of fuel in the United States.

(3) The United States Air Force is the largest consumer of fuel in the Department of Defense.

(4) The dramatically fluctuating price of fuel can have a significant budgetary impact on the Department of Defense.

(5) The United States Air Force uses about 2,600,000,000 gallons of jet fuel a year, or 10 percent of the entire domestic market in aviation fuel.

(6) The Air Force’s Alternative Aviation Fuel Initiative includes certification and testing of both biomass-derived (“biofuel”) and synthetic fuel blends produced via the Fischer-Tropsch (FT) process. By not later than December 31, 2016, the Air Force will be prepared to cost competitively acquire 50 percent of the Air Force’s domestic aviation fuel requirement via an alternative fuel blend in which the alternative component is derived from domestic sources produced in a manner that is greener than fuels produced from conventional petroleum.

(7) The Air Force Energy Program will provide options to reduce the use of foreign oil, by focusing on expanding alternative energy options that provide favorable environmental attributes as compared to currently-available options.

(b) **CONTINUATION OF INITIATIVES.**—

(1) **IN GENERAL.**—The Secretary of the Air Force shall continue the alternative aviation fuel initiatives of the Air Force with a goal of—

(A) certifying its aircraft, applicable vehicles and support equipment, and associated storage and distribution infrastructure for unrestricted operational use of a synthetic fuel blend by early 2011;

(B) being prepared to acquire 50 percent of its domestic aviation fuel requirement from alternative or synthetic fuels (including blends of alternative or synthetic fuels with conventional fuels) by not later than December 31, 2016, provided that—

(i) the lifecycle greenhouse gas emissions associated with the production and combustion of such fuel shall be equal to or lower than such emissions from conventional fuels that are used in the same application, as determined in accordance with guidance by the Department of

Energy and the Environmental Protection Agency; and

(ii) prices for such fuels are cost competitive with petroleum-based alternatives that are used for the same functions;

(C) taking actions in collaboration with the commercial aviation industry and equipment manufacturers to spur the development of a domestic alternative aviation fuel industry; and

(D) taking actions in collaboration with other Federal agencies, the commercial sector, and academia to solicit for and test the next generation of environmentally-friendly alternative aviation fuels.

(2) **ADJUSTMENT OF GOAL.**—The Secretary of the Air Force may adjust the goal of acquiring 50 percent of Air Force domestic fuel requirements from alternative or synthetic fuels by not later than December 31, 2016, if the Secretary determines in writing that it would not be practicable, or in the best interests of the Air Force, to do so and informs the congressional defense committees within 30 days of the basis for such determination.

(3) **ANNUAL REPORT.**—Not later than 180 days after the date of the enactment of this Act and annually thereafter in each of fiscal years 2011 through 2016, the Secretary of Defense, in consultation with the Secretary of the Air Force, shall submit to Congress a report on the progress of the alternative aviation fuel initiative program, including—

(A) the status of aircraft fleet certification, until complete;

(B) the quantities of alternative or synthetic fuels (including blends of alternative or synthetic fuels with conventional fuels) purchased for use by the Air Force in the fiscal year ending in such year;

(C) progress made against published goals for such fiscal year;

(D) the status of recovery plans to achieve any goals set for previous years that were not achieved; and

(E) the establishment or adjustment of goals and objectives for the current fiscal year or for future years.

(c) **ANNUAL REPORT FOR ARMY AND NAVY.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter in each of fiscal years 2011 through 2016, the Secretary of the Army and the Secretary of the Navy shall each submit to Congress a report on goals and progress to research, test, and certify the use of alternative fuels in their respective aircraft fleets.

(d) **DEFENSE SCIENCE BOARD REVIEW.**—

(1) **REPORT REQUIRED.**—Not later than October 1, 2011, the Defense Science Board shall report to the Secretary of Defense on the feasibility and advisability of achieving the goals established in subsection (b)(1). The report shall address—

(A) the technological and economic achievability of the goals;

(B) the impact of actions required to meet such goals on the military readiness of the Air Force, energy costs, environmental performance, and dependence on foreign oil; and

(C) any recommendations the Defense Science Board may have for improving the Air Force program.

(2) **SUBMISSION TO CONGRESS.**—Not later than 30 days after receiving the report required by under paragraph (1), the Secretary of Defense shall forward the report to Congress, together with the comments and recommendations of the Secretary.

SEC. 334. AUTHORIZATION OF APPROPRIATIONS FOR DIRECTOR OF OPERATIONAL ENERGY.

Of the amounts authorized to be appropriated for Operation and Maintenance, Defense-wide, \$5,000,000 is for the Director of Operational Energy Plans and Programs to carry out the duties prescribed for the Director under section 139b of title 10, United States Code, to be made available upon the confirmation of an individual to

serve as the Director of Operational Energy Plans and Programs.

SEC. 335. DEPARTMENT OF DEFENSE PARTICIPATION IN PROGRAMS FOR MANAGEMENT OF ENERGY DEMAND OR REDUCTION OF ENERGY USAGE DURING PEAK PERIODS.

(a) **IN GENERAL.**—Subchapter I of chapter 173 of title 10, United States Code, is amended by adding at the end the following new section:

“§2919. Department of Defense participation in programs for management of energy demand or reduction of energy usage during peak periods

“(a) **PARTICIPATION IN DEMAND RESPONSE OR LOAD MANAGEMENT PROGRAMS.**—The Secretary of Defense, the Secretaries of the military departments, the heads of the Defense Agencies, and the heads of other instrumentalities of the Department of Defense are authorized to participate in demand response programs for the management of energy demand or the reduction of energy usage during peak periods conducted by any of the following parties:

“(1) An electric utility

“(2) An independent system operator.

“(3) A State agency.

“(4) A third party entity (such as a demand response aggregator or curtailment service provider) implementing demand response programs on behalf of an electric utility, independent system operator, or State agency.

“(b) **TREATMENT OF CERTAIN FINANCIAL INCENTIVES.**—Financial incentives received from an entity specified in subsection (a) shall be received in cash and deposited into the Treasury as a miscellaneous receipt. Amounts received shall be available for obligation only to the extent provided in advance in an appropriations Act. The Secretary concerned or the head of the Defense Agency or other instrumentality, as the case may be, shall pay for the cost of the design and implementation of these services in full in the year in which they are received from amounts provided in advance in an appropriations Act.

“(c) **USE OF CERTAIN FINANCIAL INCENTIVES.**—Of the amounts derived from financial incentives awarded to a military installation as described in subsection (b) and provided for in advance by an appropriations Act—

“(1) not less than 100 percent shall be made available for use at such military installation; and

“(2) not less than 30 percent shall be made available for energy management initiatives at such installation.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

“2919. Department of Defense participation in programs for management of energy demand or reduction of energy usage during peak periods.”

Subtitle E—Reports

SEC. 341. STUDY ON ARMY MODULARITY.

(a) **STUDY.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a Federally Funded Research and Development Center (FFRDC) to conduct a study on the current and planned modularity structures of the Army to determine the following:

(A) The operational capability of the Army to execute its core mission to contribute land power to joint operations.

(B) The ability to manage flexibility and versatility of Army forces across the range of military operations.

(C) The tactical, operational, and strategic risk associated with the heavy and light modular combat brigades and functional brigades.

(D) The required and planned end strength for the Army.

(2) **FACTORS TO CONSIDER.**—The study required under subsection (a) shall take into consideration the following factors:

(A) The Army's historical experience with separate brigade structures.

(B) The original Army analysis, including explicit or implicit assumptions, upon which the brigade combat team, functional brigade, and higher headquarters' designs were based.

(C) Subsequent analysis that confirmed or modified the original designs.

(D) Lessons learned from Operations Iraqi Freedom and Enduring Freedom that confirmed or modified the original designs.

(E) Improvements in brigade and headquarters designs the Army has made or is implementing.

(3) **ACCESS TO INFORMATION.**—The Secretary of Defense and the Secretary of the Army shall ensure that the FFRDC conducting the study has access to all necessary data, records, analysis, personnel, and other resources necessary to complete the study.

(b) **REPORT.**—Not later than December 31, 2010, the Secretary of Defense shall submit to the congressional defense committees a report containing the results of the study conducted under subsection (a), together with comments by the Chief of Staff of the Army and the Secretary of Defense.

SEC. 342. PLAN FOR MANAGING VEGETATIVE ENCROACHMENT AT TRAINING RANGES.

Section 366(a)(5) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 113 note) is amended—

(1) by striking “(5) At the same time” and inserting “(5)(A) At the same time”; and

(2) by adding at the end the following new subparagraph:

“(B) Beginning with the report submitted to Congress at the same time as the President submits the budget for fiscal year 2011, the report required under this subsection shall include the following:

“(i) An assessment of the extent to which vegetation and overgrowth limits the use of military lands available for training of the Armed Forces in the United States and overseas.

“(ii) Identification of the particular installations and training areas at which vegetation and overgrowth negatively impact the use of training space.

“(iii)(I) As part of the first such report submitted, a plan to address training constraints caused by vegetation and overgrowth.

“(II) As part of each subsequent report, any necessary updates to such plan.”

SEC. 343. REPORT ON STATUS OF AIR NATIONAL GUARD AND AIR FORCE RESERVE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of the Air Force, the Chief of the National Guard Bureau, the Director of the Air National Guard, the Chief of the Air Force Reserve, and such other officials as the Secretary of Defense considers appropriate, shall submit to Congress a report on—

(1) the status of the Air National Guard and the Air Force Reserve; and

(2) the plans of the Department of Defense to ensure that the Air National Guard and the Air Force Reserve remain ready to meet the requirements of the Air Force and the combatant commands and for homeland defense.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2010, as follows:

(1) The Army, 547,400.

(2) The Navy, 328,800.

(3) The Marine Corps, 202,100.

(4) The Air Force, 331,700.

SEC. 402. ADDITIONAL AUTHORITY FOR INCREASES OF ARMY ACTIVE-DUTY END STRENGTHS FOR FISCAL YEARS 2010, 2011, AND 2012.

(a) **AUTHORITY TO INCREASE ARMY ACTIVE-DUTY END STRENGTH.**—

(1) **AUTHORITY.**—For each of fiscal years 2010, 2011, and 2012, the Secretary of Defense may, as the Secretary determines necessary for the purposes specified in paragraph (2), establish the active-duty end strength for the Army at a number greater than the number otherwise authorized by law up to the number equal to the fiscal-year 2010 baseline plus 30,000.

(2) **PURPOSE OF INCREASES.**—The purposes for which an increase may be made in the active duty end strength for the Army under paragraph (1) are the following:

(A) To increase dwell time for members of the Army on active duty.

(B) To support operational missions.

(C) To achieve reorganizational objectives, including increased unit manning, force stabilization and shaping, and supporting wounded warriors.

(b) **RELATIONSHIP TO PRESIDENTIAL WAIVER AUTHORITY.**—Nothing in this section shall be construed to limit the authority of the President under section 123a of title 10, United States Code, to waive any statutory end strength in a time of war or national emergency.

(c) **RELATIONSHIP TO OTHER VARIANCE AUTHORITY.**—The authority in subsection (a) is in addition to the authority to vary authorized end strengths that is provided in subsections (e) and (f) of section 115 of title 10, United States Code.

(d) **BUDGET TREATMENT.**—

(1) **IN GENERAL.**—If the Secretary of Defense increases active-duty end strength for the Army for fiscal year 2010 under subsection (a), the Secretary may fund such an increase through Department of Defense reserve funds or through an emergency supplemental appropriation.

(2) **FISCAL YEARS 2011 AND 2012.**—(2) If the Secretary of Defense plans to increase the active-duty end strength for the Army for fiscal year 2011 or 2012, the budget for the Department of Defense for such fiscal year as submitted to Congress shall include the amounts necessary for funding the active-duty end strength for the Army in excess of the fiscal-year 2010 baseline.

(e) **DEFINITIONS.**—In this section:

(1) **FISCAL-YEAR 2010 BASELINE.**—The term “fiscal-year 2010 baseline”, with respect to the Army, means the active-duty end strength authorized for the Army in section 401(1).

(2) **ACTIVE-DUTY END STRENGTH.**—The term “active-duty end strength”, with respect to the Army for a fiscal year, means the strength for active duty personnel of Army as of the last day of the fiscal year.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) **IN GENERAL.**—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2010, as follows:

(1) The Army National Guard of the United States, 358,200.

(2) The Army Reserve, 205,000.

(3) The Navy Reserve, 65,500.

(4) The Marine Corps Reserve, 39,600.

(5) The Air National Guard of the United States, 106,700.

(6) The Air Force Reserve, 69,500.

(7) The Coast Guard Reserve, 10,000.

(b) **ADJUSTMENTS.**—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any

fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2010, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 32,060.

(2) The Army Reserve, 16,261.

(3) The Navy Reserve, 10,818.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 14,555.

(6) The Air Force Reserve, 2,896.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2010 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army Reserve, 8,395.

(2) For the Army National Guard of the United States, 27,210.

(3) For the Air Force Reserve, 10,417.

(4) For the Air National Guard of the United States, 22,313.

SEC. 414. FISCAL YEAR 2010 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) **LIMITATIONS.**—

(1) **NATIONAL GUARD.**—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2010, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) **ARMY RESERVE.**—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2010, may not exceed 595.

(3) **AIR FORCE RESERVE.**—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2010, may not exceed 90.

(b) **NON-DUAL STATUS TECHNICIANS DEFINED.**—In this section, the term “non-dual status technician” has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2010, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

SEC. 416. REPORT ON TRAINEE ACCOUNT FOR THE ARMY NATIONAL GUARD.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act,

the Secretary of the Army shall submit to the congressional defense committees a report setting forth an assessment of the establishment within the Army National Guard of a trainees, transients, holdees, and students account (commonly referred to as a “TTHS” account).

(b) **ELEMENTS.**—The report required by subsection (a) shall include an assessment of the feasibility and advisability of permitting the Army National Guard to have, without regard to its authorized end strength levels for a fiscal year, a trainees, transients, holdees, and students account for assigning all members of the Army National Guard who have not completed initial entry training in order to ensure that all personnel of fully manned and deployable units of the Army National Guard have completed initial entry training.

SEC. 417. AUTHORITY FOR SERVICE SECRETARY VARIANCES FOR SELECTED RESERVE END STRENGTHS.

Section 115(g) of title 10, United States Code, is amended to read as follows:

“(g) **AUTHORITY FOR SERVICE SECRETARY VARIANCES FOR ACTIVE-DUTY AND SELECTED RESERVE END STRENGTHS.**—(1) Upon determination by the Secretary of a military department that such action would enhance manning and readiness in essential units or in critical specialties or ratings, the Secretary may—

“(A) increase the end strength authorized pursuant to subsection (a)(1)(A) for a fiscal year for the armed force under the jurisdiction of that Secretary or, in the case of the Secretary of the Navy, for any of the armed forces under the jurisdiction of that Secretary, by a number equal to not more than 2 percent of such authorized end strength; and

“(B) increase the end strength authorized pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of the reserve component of the armed force under the jurisdiction of that Secretary or, in the case of the Secretary of the Navy, for the Selected Reserve of the reserve component of any of the armed forces under the jurisdiction of that Secretary, by a number equal to not more than 2 percent of such authorized end strength.

“(2) Any increase under paragraph (1) of the end strength for an armed force or the Selected Reserve of a reserve component of an armed force shall be counted as part of the increase for that armed force or Selected Reserve for that fiscal year authorized under subsection (f)(1) or subsection (f)(3), respectively.”.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is hereby authorized to be appropriated for fiscal year 2010 for the Department of Defense for military personnel amounts as follows:

(1) For military personnel, \$124,864,942,000.

(2) For contributions to the Medicare-Eligible Retiree Health Fund, \$10,751,339,000.

(b) **CONSTRUCTION OF AUTHORIZATION.**—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2010.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. MODIFICATION OF LIMITATIONS ON GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.

(a) **CLARIFICATION OF DISTRIBUTION LIMITS.**—Section 525 of title 10, United States Code, is amended by striking subsections (a) and (b) and inserting the following new subsections:

“(a) For purposes of the applicable limitation in section 526(a) of this title on general and flag officers on active duty, no appointment of an officer on the active duty list may be made as follows:

“(1) in the Army, if that appointment would result in more than—

“(A) 7 officers in the grade of general;

“(B) 45 officers in a grade above the grade of major general; or

“(C) 90 officers in the grade of major general;

“(2) in the Air Force, if that appointment would result in more than—

“(A) 9 officers in the grade of general;

“(B) 43 officers in a grade above the grade of major general; or

“(C) 73 officers in the grade of major general;

“(3) in the Navy, if that appointment would result in more than—

“(A) 6 officers in the grade of admiral;

“(B) 32 officers in a grade above the grade of rear admiral; or

“(C) 50 officers in the grade of rear admiral;

“(4) in the Marine Corps, if that appointment would result in more than—

“(A) 2 officers in the grade of general;

“(B) 15 officers in a grade above the grade of major general; or

“(C) 22 officers in the grade of major general.

“(b)(1) The limitations of subsection (a) do not include the following:

“(A) An officer released from a joint duty assignment, but only during the 60-day period beginning on the date the officer departs the joint duty assignment, except that the Secretary of Defense may authorize the Secretary of a military department to extend the 60-day period by an additional 120 days, but no more than 3 officers from each armed forces may be on active duty who are excluded under this subparagraph.

“(B) An officer while serving in the position of Staff Judge Advocate to the Commandant of the Marine Corps under section 5046 of this title.

“(C) The number of officers required to serve in joint duty assignments as authorized by the Secretary of Defense under section 526(b) for each military service.

“(D) An officer while serving as Chief of the National Guard Bureau.

“(2) An officer of the Army while serving as Superintendent of the United States Military Academy, if serving in the grade of lieutenant general, is in addition to the number that would otherwise be permitted for the Army for officers serving on active duty in grades above major general under subsection (a). An officer of the Navy or Marine Corps while serving as Superintendent of the United States Naval Academy, if serving in the grade of vice admiral or lieutenant general, is in addition to the number that would otherwise be permitted for the Navy or Marine Corps, respectively, for officers serving on active duty in grades above major general or rear admiral under subsection (a). An officer while serving as Superintendent of the United States Air Force Academy, if serving in the grade of lieutenant general, is in addition to the number that would otherwise be permitted for the Air Force for officers serving on active duty in grades above major general under subsection (a).”.

(b) CLARIFICATION ON OFFSETTING REDUCTIONS.—Subsection (c) of such section is amended—

(1) in paragraph (1)—

(A) by amending subparagraph (A) to read as follows:

“(A) may make appointments in the Army, Air Force, and Marine Corps in the grades of lieutenant general and general in excess of the applicable numbers determined under this section if each such appointment is made in conjunction with an offsetting reduction under paragraph (2); and”;

(B) in subparagraph (B), by striking “subsection (b)(2)” and inserting “this section”;

(2) in paragraph (3)(A), by striking “the number equal to 10 percent of the total number of officers that may be serving on active duty in those grades in the Army, Navy, Air Force, and Marine Corps under subsection (b)” and inserting “15”;

(3) in paragraph (3)(B), by striking “the number equal to 15 percent of the total number of officers that may be serving on active duty in

those grades in the Army, Navy, Air Force, and Marine Corps” and inserting “5”.

(c) OTHER DISTRIBUTION CLARIFICATIONS.—Such section is further amended—

(1) in subsection (e), by striking “In determining the total number of general officers or flag officers of an armed force on active duty for purposes of this section, the following officers shall not be counted:” in the matter preceding paragraph (1) and inserting “The following officers shall not be counted for purposes of this section:”;

(2) by adding at the end the following new subsection:

“(g) The limitations of this section do not apply to a reserve component general or flag officer who is on active duty and serving in a position that is a joint duty assignment for the purposes of chapter 38 of this title for a period not to exceed three years.”.

(d) CHANGE TO AUTHORIZED STRENGTHS.—Subsection (a) of section 526 of such title is amended—

(1) in paragraph (1), by striking “307” and inserting “230”;

(2) in paragraph (2), by striking “216” and inserting “160”;

(3) in paragraph (3), by striking “279” and inserting “208”;

(4) in paragraph (4), by striking “81” and inserting “60”.

(e) CHANGES TO LIMITED EXCLUSION FOR JOINT DUTY REQUIREMENTS.—Subsection (b) of such section is amended—

(1) in paragraph (1)—

(A) by striking “Chairman of the Joint Chiefs of Staff” and inserting “Secretary of Defense”;

(B) by striking “65” and inserting “324”;

(C) by striking the second sentence and inserting the following new sentence: “The Secretary of Defense shall allocate those exclusions to the armed forces based on the number of general or flag officers required from each armed force for assignment to these designated positions.”;

(2) by redesignating paragraph (2) as paragraph (4); and

(3) by inserting after paragraph (1) the following new paragraphs:

“(2) Unless the Secretary of Defense determines that a lower number is in the best interest of the Department, the minimum number of officers serving in positions designated under paragraph (1) for each armed force shall be as follows:

“(A) For the Army, 85.

“(B) For the Navy, 61.

“(C) For the Air Force, 76.

“(D) For the Marine Corps, 21.

“(3) The number excluded under paragraph (1) and serving in positions designated under that paragraph—

“(A) in the grade of general or admiral may not exceed 20;

“(B) in a grade above the grade of major general or rear admiral may not exceed 68; and

“(C) in the grade of major general or rear admiral may not exceed 144.”.

(f) OTHER AUTHORIZATION CLARIFICATIONS.—Such section is further amended—

(1) in subsection (d), by adding at the end the following new paragraph:

“(3) The limitations of this section do not apply to a reserve component general or flag officer who is on active duty and serving in a position that is a joint duty assignment for the purposes of chapter 38 of this title for a period not to exceed three years.”;

(2) by adding at the end the following new subsections:

“(g) TEMPORARY EXCLUSION FOR ASSIGNMENT TO CERTAIN TEMPORARY BILLETS.—(1) The limitations in subsection (a) and in section 525(a) of this title do not apply to a general or flag officer assigned to a temporary joint duty assignment designated by the Secretary of Defense.

“(2) A general or flag officer assigned to a temporary joint duty assignment as described in paragraph (1) may not be excluded under this

subsection from the limitations in subsection (a) for a period of longer than one year.

“(h) EXCLUSION OF OFFICERS DEPARTING FROM JOINT DUTY ASSIGNMENTS.—The limitations in subsection (a) do not apply to an officer released from a joint duty assignment, but only during the 60-day period beginning on the date the officer departs the joint duty assignment; except that the Secretary of Defense may authorize the Secretary of a military department to extend the 60-day by an additional 120 days, but no more than 3 officers from each armed force may be on active duty who are excluded under this subsection.”.

(g) REPEAL OF LIMITATIONS ON GENERAL AND FLAG OFFICER ACTIVITIES OUTSIDE THE OFFICER'S OWN SERVICE.—

(1) REPEAL.—Section 721 of such title is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 41 of such title is amended by striking the item relating to section 721.

(h) REPEAL OF SUPERSEDED AUTHORITY.—Section 506 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4434; 10 U.S.C. 525 note) is repealed.

SEC. 502. REVISIONS TO ANNUAL REPORT REQUIREMENT ON JOINT OFFICER MANAGEMENT.

Section 667 of title 10, United States Code, is amended—

(1) in paragraph (1)(A), by striking “and their education and experience”;

(2) by striking paragraph (3);

(3) by transferring subparagraph (B) of paragraph (4) to the end of paragraph (1), redesignating that subparagraph as subparagraph (C), aligning that subparagraph with the margin of subparagraph (B) of paragraph (1), and capitalizing the first word of that subparagraph;

(4) by striking the remainder of paragraph (4), as amended by paragraph (3) of this section;

(5) by redesignating paragraph (5) as paragraph (3);

(6) by striking paragraph (6);

(7) by redesignating paragraphs (7) through (11) as paragraphs (4) through (8), respectively;

(8) by redesignating paragraph (12) as paragraph (9) and in that paragraph striking “each time the” and all that follows and inserting “the principal courses of instruction for Joint Professional Military Education Level II, the number of officers graduating from each of the following:

“(A) The Joint Forces Staff College.

“(B) The National Defense University.

“(C) Senior Service Schools.”; and

(9) by redesignating paragraph (13) as paragraph (10).

SEC. 503. GRADE OF LEGAL COUNSEL TO THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

(a) IN GENERAL.—Section 156(c) of title 10, United States Code, is amended by striking “, while so serving, hold the” and inserting “be appointed in the regular”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to individuals appointed as Legal Counsel to the Chairman of the Joint Chiefs of Staff on or after that date.

SEC. 504. CHIEF AND DEPUTY CHIEF OF CHAPLAINS OF THE AIR FORCE.

(a) IN GENERAL.—Chapter 805 of title 10, United States Code, is amended by inserting after section 8038 the following new section:

“§8039. Chief and Deputy Chief of Chaplains: appointment; duties

“(a) CHIEF OF CHAPLAINS.—(1) There is a Chief of Chaplains in the Air Force, who shall be appointed by the President, by and with the advice and consent of the Senate, from active duty officers of the Air Force Chaplain Corps serving in the grade of colonel or above who

have served on active duty as a chaplain for at least eight years.

“(2) An officer appointed as the Chief of Chaplains shall be appointed for a term of three years. However, the President may terminate or extend the appointment at any time.

“(3) The Chief of Chaplains shall be appointed in the regular grade of major general.

“(4) The Chief of Chaplains shall perform such duties as may be prescribed by the Secretary of the Air Force and by law.

“(b) DEPUTY CHIEF OF CHAPLAINS.—(1) There is a Deputy Chief of Chaplains in the Air Force who shall be appointed by the President by and with the advice and consent of the Senate from active duty officers of the Air Force Chaplain Corps serving in the grade of colonel who have served on active duty as a chaplain for at least eight years.

“(2) An officer appointed as the Deputy Chief of Chaplains shall be appointed for a term of three years. However, the President may terminate or extend the appointment at any time.

“(3) The Deputy Chief of Chaplains shall be appointed in the regular grade of brigadier general.

“(4) The Deputy Chief of Chaplains shall perform such duties as may be prescribed by the Secretary of the Air Force, the Chief of Chaplains, and by law.

“(c) SELECTION OF RECOMMENDED OFFICERS THROUGH SELECTION BOARD PROCEDURES.—Under regulations approved by the Secretary of Defense, the Secretary of the Air Force in selecting an officer for recommendation to the President under subsection (a) for appointment as the Chief of Chaplains or under subsection (b) for appointment as the Deputy Chief of Chaplains shall ensure that the officer selected is recommended by a board of officers that, insofar as is practicable, is subject to the procedures applicable to selection boards convened under chapter 36 of this title.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 805 of such title is amended by inserting after the item related to section 8038 the following new item:

“8039. Chief and Deputy Chief of Chaplains: appointment; duties.”.

Subtitle B—Reserve Component Management

SEC. 511. REPORT ON REQUIREMENTS OF THE NATIONAL GUARD FOR NON-DUAL STATUS TECHNICIANS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report setting forth the following:

(1) A description of the types of duties performed for the National Guard by non-dual status technicians.

(2) A description of the current requirements of the National Guard for non-dual status technicians.

(3) A description of various means of addressing any shortfalls in meeting such requirements, including both temporary shortfalls and permanent shortfalls.

(b) CONSIDERATIONS.—The report required by subsection (a) shall take into consideration the effects of the mobilization of large numbers of National Guard military technicians (dual status) on the readiness of National Guard units in critically important areas and on the capacity of the National Guard to continue performing home-based missions and responsibilities for the States.

Subtitle C—Education and Training

SEC. 521. GRADE OF COMMISSIONED OFFICERS IN UNIFORMED MEDICAL ACCESSION PROGRAMS.

(a) MEDICAL STUDENTS OF USUHS.—Section 2114(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking the second sentence and inserting the following new sen-

tences: “Each medical student shall be appointed as a regular officer in the grade of second lieutenant or ensign. An officer so appointed may, upon meeting such criteria for promotion as may be prescribed by the Secretary concerned, be appointed in the regular grade of first lieutenant or lieutenant (junior grade). Medical students commissioned under this section shall serve on active duty in their respective grades.”; and

(2) in paragraph (2), by striking “grade of second lieutenant or ensign” and inserting “grade in which the member is serving under paragraph (1)”.

(b) PARTICIPANTS IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.—Section 2121(c) of such title is amended—

(1) in paragraph (1), by striking the second sentence and inserting the following new sentences: “Each person so commissioned shall be appointed as a reserve officer in the grade of second lieutenant or ensign. An officer so appointed may, upon meeting such criteria for promotion as may be prescribed by the Secretary concerned, be appointed in the reserve grade of first lieutenant or lieutenant (junior grade). Medical students commissioned under this section shall serve on active duty in their respective grades for a period of 45 days during each year of participation in the program.”; and

(2) in paragraph (2), by striking “grade of second lieutenant or ensign” and inserting “grade in which the member is serving under paragraph (1)”.

(c) OFFICERS DETAILED AS STUDENTS AT MEDICAL SCHOOLS.—Subsection (e) of section 2004a of such title is amended—

(1) in the subsection heading, by striking “APPOINTMENT AND TREATMENT OF PRIOR ACTIVE SERVICE” and inserting “SERVICE ON ACTIVE DUTY”; and

(2) by striking paragraph (1) and inserting the following new paragraph (1):

“(1) A commissioned officer detailed under subsection (a) shall serve on active duty, subject to the limitations on grade specified in section 2114(b)(1) of this title and with the entitlement to basic pay as specified in section 2114(b)(2) of this title.”.

SEC. 522. EXPANSION OF CRITERIA FOR APPOINTMENT AS MEMBER OF THE BOARD OF REGENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

Section 2113a(b)(1) of title 10, United States Code, is amended by striking “health and health education” and inserting “health care, higher education administration, and public policy”.

SEC. 523. DETAIL OF COMMISSIONED OFFICERS AS STUDENTS AT SCHOOLS OF PSYCHOLOGY.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2004 the following new section:

“§2004a. Detail of commissioned officers as students at schools of psychology

“(a) DETAIL AUTHORIZED.—The Secretary of each military department may detail commissioned officers of the armed forces as students at accredited schools of psychology located in the United States for a period of training leading to the degree of Doctor of Philosophy in clinical psychology. No more than 25 officers from each military department may commence such training in any single fiscal year.

“(b) ELIGIBILITY FOR DETAIL.—To be eligible for detail under subsection (a), an officer must be a citizen of the United States and must—

“(1) have served on active duty for a period of not less than two years nor more than six years and be in the pay grade 0–3 or below as of the time the training is to begin; and

“(2) sign an agreement that unless sooner separated the officer will—

“(A) complete the educational course of psychological training;

“(B) accept transfer or detail as a commissioned officer within the military department concerned when the officer’s training is completed; and

“(C) agree to serve, following completion of the officer’s training, on active duty (or on active duty and in the Selected Reserve) for a period as specified pursuant to subsection (c).

“(c) SERVICE OBLIGATION.—(1) Except as provided in paragraph (2), the agreement of an officer under subsection (b) shall provide that the officer shall serve on active duty for two years for each year or part thereof of the officer’s training under subsection (a).

“(2) The agreement of an officer may authorize the officer to serve a portion of the officer’s service obligation on active duty and to complete the service obligation that remains upon separation from active duty in the Selected Reserve. Under any such agreement, an officer shall serve three years in the Selected Reserve for each year or part thereof of the officer’s training under subsection (a) for any service obligation that was not completed before separation from active duty.

“(d) SELECTION OF OFFICERS FOR DETAIL.—Officers detailed for training under subsection (a) shall be selected on a competitive basis by the Secretary of the military department concerned.

“(e) RELATION OF SERVICE OBLIGATIONS TO OTHER SERVICE OBLIGATIONS.—Any service obligation incurred by an officer under an agreement entered into under subsection (b) shall be in addition to any service obligation incurred by the officer under any other provision of law or agreement.

“(f) EXPENSES.—Expenses incident to the detail of officers under this section shall be paid from any funds appropriated for the military department concerned.

“(g) FAILURE TO COMPLETE PROGRAM.—(1) An officer who is dropped from a program of psychological training to which detailed under subsection (a) for deficiency in conduct or studies, or for other reasons, may be required to perform active duty in an appropriate military capacity in accordance with the active duty obligation imposed on the officer under regulations issued by the Secretary of Defense for purposes of this section.

“(2) In no case shall an officer be required to serve on active duty under paragraph (1) for any period in excess of one year for each year or part thereof the officer participated in the program.

“(h) LIMITATION ON DETAILS.—No agreement detailing an officer of the armed forces to an accredited school of psychology may be entered into during any period in which the President is authorized by law to induct persons into the armed forces involuntarily. Nothing in this subsection shall affect any agreement entered into during any period when the President is not authorized by law to so induct persons into the armed forces.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2004 the following new item:

“2004a. Detail of commissioned officers as students at schools of psychology.”.

SEC. 524. AIR FORCE ACADEMY ATHLETIC ASSOCIATION.

(a) IN GENERAL.—Chapter 903 of title 10, United States Code, is amended by inserting after section 9361 the following new section:

“§9362. Air Force Academy athletic programs support

“(a) ESTABLISHMENT AUTHORIZED.—

“(1) IN GENERAL.—The Secretary of the Air Force may, in accordance with the laws of the State of incorporation, establish a corporation to support the athletic programs of the Academy (in this section referred to as the ‘corporation’). All stock of the corporation shall be owned by the United States and held in the name of and voted by the Secretary of the Air Force.

“(2) **PURPOSE.**—The corporation shall operate exclusively for charitable, educational, and civic purposes to support the athletic programs of the Academy.

“(b) **CORPORATE ORGANIZATION.**—The corporation shall be organized and operated—

“(1) as a nonprofit corporation under section 501(c)(3) of the Internal Revenue Code of 1986;

“(2) in accordance with this section; and

“(3) pursuant to the laws of the State of incorporation, its articles of incorporation, and its bylaws.

“(c) **CORPORATE BOARD OF DIRECTORS.**—

“(1) **COMPENSATION.**—The members of the board of directors shall serve without compensation, except for reasonable travel and other related expenses for attendance at meetings.

“(2) **AIR FORCE PERSONNEL.**—The Secretary of the Air Force may authorize military and civilian personnel of the Air Force under section 1033 of this title to serve, in their official capacities, as members of the board of directors, but such personnel shall not hold more than one third of the directorships.

“(d) **TRANSFER FROM NONAPPROPRIATED FUND OPERATION.**—The Secretary of the Air Force may, subject to the acceptance of the corporation, transfer to the corporation all title to and ownership of the assets and liabilities of the Air Force nonappropriated fund instrumentality whose functions include providing support for the athletic programs of the Academy, including bank accounts and financial reserves in its accounts, equipment, supplies, and other personal property, but excluding any interest in real property.

“(e) **ACCEPTANCE OF GIFTS.**—The Secretary of the Air Force may accept from the corporation funds, supplies, and services for the support of cadets and Academy personnel during their participation in, or in support of, Academy or corporate events related to the Academy athletic programs.

“(f) **LEASING.**—The Secretary of the Air Force may, in accordance with section 2667 of this title, lease real and personal property to the corporation for purposes related to the Academy athletic programs. Money rentals received from any such lease may be retained and spent by the Secretary to support athletic programs of the Academy.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 9361 the following new item:

“9362. Air Force Academy athletic programs support.”

Subtitle D—Defense Dependents' Education Matters

SEC. 531. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) **ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.**—Of the amount authorized to be appropriated for fiscal year 2010 pursuant to section 301(a)(5) for operation and maintenance for Defense-wide activities, \$30,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3271; 20 U.S.C. 7703b).

(b) **ASSISTANCE TO SCHOOLS WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.**—Of the amount authorized to be appropriated for fiscal year 2010 pursuant to section 301(5) for operation and maintenance for Defense-wide activities, \$10,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (b) of such section 572, as amended by section 533 of this Act.

(c) **LOCAL EDUCATIONAL AGENCY DEFINED.**—In this section, the term “local educational agency” has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 532. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated for fiscal year 2010 pursuant to section 301(a)(5) for operation and maintenance for Defense-wide activities, \$5,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-77; 20 U.S.C. 7703a).

SEC. 533. TWO-YEAR EXTENSION OF AUTHORITY FOR ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.

Section 572(b)(4) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3271; 20 U.S.C. 7703b(b)(4)) is amended by striking “September 30, 2010” and inserting “September 30, 2012”.

SEC. 534. PERMANENT AUTHORITY FOR ENROLLMENT IN DEFENSE DEPENDENTS' EDUCATION SYSTEM OF DEPENDENTS OF FOREIGN MILITARY MEMBERS ASSIGNED TO SUPREME HEADQUARTERS ALLIED POWERS, EUROPE.

(a) **PERMANENT AUTHORITY.**—Subsection (a)(2) of section 1404A of the Defense Dependents' Education Act of 1978 (20 U.S.C. 923a) is amended by striking “, and only through the 2010-2011 school year”.

(b) **COMBATANT COMMANDER ADVICE AND ASSISTANCE.**—Subsection (c)(1) of such section is amended by inserting after “Secretary” the following: “, with the advice and assistance of the commander of the geographic combatant command with jurisdiction over Mons, Belgium.”

SEC. 535. STUDY ON OPTIONS FOR EDUCATIONAL OPPORTUNITIES FOR DEPENDENT CHILDREN OF MEMBERS OF THE ARMED FORCES WHO DO NOT ATTEND DEPARTMENT OF DEFENSE DEPENDENTS SCHOOLS.

(a) **STUDY ON OPTIONS FOR EDUCATIONAL OPPORTUNITIES.**—

(1) **STUDY REQUIRED.**—The Secretary of Defense shall, in consultation with the Secretary of Education, conduct a study on options for educational opportunities that are, or may be, available for dependent children of members of the Armed Forces who do not attend Department of Defense dependents' schools when the public elementary and secondary schools attended by such children are determined to be in need of improvement pursuant to the No Child Left Behind Act of 2001 (Public Law 110-117).

(2) **OPTIONS.**—The options to be considered under the study required by paragraph (1) shall include the following:

(A) Vouchers.

(B) Education provided by the Department of Defense through the Internet.

(C) Charter schools.

(D) Such other options as the Secretary of Defense, in consultation with the Secretary of Education, considers appropriate for purposes of the study.

(3) **ELEMENTS.**—The study required by paragraph (1) shall address the following matters:

(A) The challenges faced by parents in military families in securing quality elementary and secondary education for their children when the public elementary and secondary schools attended by their children are identified as being in need of improvement.

(B) The extent to which perceptions of differing degrees of quality in public elementary and secondary schools in different regions of the United States affect plans of military families to relocate, including relocation pursuant to a permanent change of duty station.

(C) The various reasons why military families seek educational opportunities for their children

other than those available through local public elementary and secondary schools.

(D) The current level of student achievement in public elementary and secondary schools in school districts which have a high percentage of students who are children of military families.

(E) The educational needs of children of military families who are required by location to attend public elementary and secondary schools identified as being in need of improvement.

(F) The value and impact of a school voucher or other alternative educational program for military families.

(G) The extent to which the options referred to in paragraph (2) would provide a meaningful option for education for military children when the public elementary and secondary schools attended by such children are determined to be in need of improvement.

(H) The extent to which the options referred to in paragraph (2) would improve the quality of education available for students with special needs, including students with learning disabilities and gifted students.

(I) Such other matters as the Secretary of Defense, in consultation with the Secretary of Education, considers appropriate for purposes of the study.

(b) **REPORT.**—Not later than March 31, 2010, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study required by subsection (b). The report shall include the following:

(1) A description of the results of the study.

(2) Such recommendations for legislative or administrative action as the Secretary of Defense considers appropriate in light of the results of the study.

SEC. 536. SENSE OF SENATE ON THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) The incongruity in how States assess and enroll transfer students creates challenges for the moving military family and can, in some cases, be detrimental to the higher education opportunities of military children.

(2) The inability to transfer credits, maintain the proper number of school-year hours, missing exams, and other obstacles can make moving as a military family difficult.

(3) The average military child moves six to nine times between kindergarten and high school graduation, creating a variety of challenges and obstacles related to permanent change of station moves.

(4) The demands and strains on members of the Armed Forces and their families continue to increase and will do so for the foreseeable future as the United States continues overseas contingency operations, and children and adolescents are acutely vulnerable to family stresses caused by the high operational tempo and may therefore be at a heightened risk for emotional distress.

(5) The routine of the school environment can be a source of stability for military children as they cope with the disruptive challenges caused by the deployment of a parent or a relocation.

(b) **SENSE OF SENATE.**—It is the sense of the Senate to—

(1) express strong support and commendation for Alabama, Alaska, Arizona, Colorado, Connecticut, Delaware, Florida, Hawaii, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Mississippi, Missouri, Nevada, North Carolina, Oklahoma, Texas, Virginia, and Washington as States that have successfully enacted the Interstate Compact on Educational Opportunity for Military Children;

(2) express its strong support and encourage all remaining States to enact the Interstate Compact on Educational Opportunity for Military Children;

(3) recognize the importance of the components of the Interstate Compact on Educational Opportunity for Military Children, including—

(A) the transfer of educational records to expedite the proper enrollment and placement of students;

(B) the ability of students to continue their enrollment at a grade level in the receiving State commensurate with their grade level from the sending State;

(C) priority for attendance to children of members of the Armed Forces assuming the school district accepts transfer students;

(D) the ability of students to continue their course placement, including but not limited to Honors, International Baccalaureate, Advanced Placement, vocational, technical, and career pathways courses;

(E) the recalculation of grades to consider the weights offered by a receiving school for the same performance in the same course when a student transfers from one grading system to another system (for example, number-based system to letter-based system);

(F) the waiver of specific courses required for graduation if similar course work has been satisfactorily completed in another local education agency or the provision of an alternative means of acquiring required coursework so that graduation may occur on time; and

(G) the recognition of an appointed guardian as a custodial parent while the child's parent or parents are deployed; and

(4) express strong support for States to develop a State Council to provide for the coordination among their agencies of government, local education agencies, and military installations concerning the participation of a State in the Interstate Compact on Educational Opportunity for Military Children.

SEC. 537. COMPTROLLER GENERAL AUDIT OF ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR DEPENDENT CHILDREN OF MEMBERS OF THE ARMED FORCES.

(a) *IN GENERAL.*—The Comptroller General of the United States shall conduct an audit of the utilization by local educational agencies of the assistance specified in subsection (b) provided to such agencies for fiscal years 2001 through 2009 for the education of dependent children of members of the Armed Forces. The audit shall include—

(1) an evaluation of the utilization of such assistance by such agencies; and

(2) an assessment of the effectiveness of such assistance in improving the quality of education provided to dependent children of members of the Armed Forces.

(b) *ASSISTANCE SPECIFIED.*—The assistance specified in this subsection is—

(1) assistance provided under—

(A) section 572 the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3271; 20 U.S.C. 7703b);

(B) section 559 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 1917);

(C) section 536 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1474);

(D) section 341 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2514);

(E) section 351 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1063); or

(F) section 362 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-76); and

(2) payments made under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-77; 20 U.S.C. 7703a).

(c) *REPORT.*—Not later than March 1, 2010, the Comptroller General shall submit to the congressional defense committees a report containing the results of the audit required by subsection (a).

SEC. 538. AUTHORITY TO EXTEND ELIGIBILITY FOR ENROLLMENT IN DEPARTMENT OF DEFENSE ELEMENTARY AND SECONDARY SCHOOLS TO CERTAIN ADDITIONAL CATEGORIES OF DEPENDENTS.

Section 2164 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(j) *TUITION-FREE ENROLLMENT OF DEPENDENTS OF FOREIGN MILITARY PERSONNEL RESIDING ON DOMESTIC MILITARY INSTALLATIONS AND DEPENDENTS OF CERTAIN DECEASED MEMBERS OF THE ARMED FORCES.*—(1) The Secretary may authorize the enrollment in an education program provided by the Secretary pursuant to subsection (a) of a dependent not otherwise eligible for such enrollment who is the dependent of an individual described in paragraph (2). Enrollment of such a dependent shall be on a tuition-free basis.

“(2) An individual referred to in paragraph (1) is any of the following:

“(A) A member of a foreign armed force residing on a military installation in the United States (including territories, commonwealths, and possessions of the United States).

“(B) A deceased member of the armed forces who died in the line of duty in a combat-related operation, as designated by the Secretary.”

Subtitle E—Military Justice and Legal Assistance Matters

SEC. 541. INDEPENDENT REVIEW OF JUDGE ADVOCATE REQUIREMENTS OF THE DEPARTMENT OF THE NAVY.

(a) *INDEPENDENT PANEL FOR REVIEW.*—

(1) *ESTABLISHMENT.*—There is hereby established an independent panel to review the judge advocate requirements of the Department of the Navy.

(2) *COMPOSITION.*—The panel shall be composed of five members, appointed by the Secretary of Defense from among private United States citizens who have expertise in law, military manpower policies, the missions of the Navy and Marine Corps, and the current responsibilities of Navy and Marine Corps judge advocates in ensuring competent legal representation and advice to commanders.

(3) *CHAIR.*—The chair of the panel shall be appointed by the Secretary from among the members of the panel appointed under paragraph (2).

(4) *PERIOD OF APPOINTMENT; VACANCIES.*—Members shall be appointed for the life of the panel. Any vacancy in the panel shall be filled in the same manner as the original appointment.

(5) *MEETINGS.*—The panel shall meet at the call of the chair.

(6) *DEADLINE FOR APPOINTMENTS.*—All original appointments to the panel shall be made not later than April 1, 2010.

(7) *FIRST MEETING.*—The chair shall call the first meeting of the panel not later than June 1, 2010.

(b) *DUTIES.*—

(1) *IN GENERAL.*—The panel established under subsection (a) shall carry out a study of the policies and management and organizational practices of the Navy and Marine Corps with respect to the responsibilities, assignment, and career development of judge advocates for purposes of determining the number of judge advocates required to fulfill the legal mission of the Department of the Navy.

(2) *REVIEW.*—In carrying out the study required by paragraph (1), the panel shall—

(A) review the emergent operational law requirements of the Navy and Marine Corps, including requirements for judge advocates on joint task forces, in support of rule of law objectives in Iraq and Afghanistan, and in operational units;

(B) review new requirements to support the Office of Military Commissions and to support the disability evaluation system for members of the Armed Forces;

(C) review the judge advocate requirements of the Department of the Navy for the military jus-

tice mission, including assignment policies, training and education, increasing complexity of court-martial litigation, and the performance of the Navy and Marine Corps in providing legally sufficient post-trial processing of cases in general courts-martial and special courts-martial;

(D) review the role of the Judge Advocate General of the Navy, as the senior uniformed legal officer of the Department of the Navy, to determine whether additional authority for the Judge Advocate General over manpower policies and assignments of judge advocates in the Navy and Marine Corps is warranted;

(E) review directives issued by the Navy and the Marine Corps pertaining to jointly-shared missions requiring legal support;

(F) review career patterns for Marine Corps judge advocates in order to identify and validate assignments to nonlegal billets required for professional development and promotion; and

(G) review, evaluate, and assess such other matters and materials as the panel considers appropriate for purposes of the study.

(3) *UTILIZATION OF OTHER STUDIES.*—In carrying out the study required by paragraph (1), the panel may review, and incorporate as appropriate, the findings of applicable ongoing and completed studies in future manpower requirements, including the two-part study by CNA Analysis and Solutions entitled “An Analysis of Navy JAG Corps Future Manpower Requirements”.

(4) *REPORT.*—Not later than 120 days after its first meeting under subsection (a)(7), the panel shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives a report on the study. The report shall include—

(A) the findings and conclusions of the panel as a result of the study; and

(B) any recommendations for legislative or administrative action that the panel considers appropriate in light of the study.

(c) *PERSONNEL MATTERS.*—

(1) *PAY OF MEMBERS.*—(A) Members of the panel established under subsection (a) shall serve without pay by reason of their work on the panel.

(B) Section 1342 of title 31, United States Code, shall not apply to the acceptance of services of a member of the panel under this section.

(2) *TRAVEL EXPENSES.*—The members of the panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance or services for the panel.

Subtitle F—Military Family Readiness Matters

SEC. 551. ADDITIONAL MEMBERS ON THE DEPARTMENT OF DEFENSE MILITARY FAMILY READINESS COUNCIL.

Section 1781a(b)(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(2) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) In addition to the representatives appointed under subparagraph (B)—

“(i) one representative from the National Guard, who shall be appointed by the Secretary of Defense; and

“(ii) one representative from a reserve component of the armed forces (other than the National Guard), who shall be so appointed.”; and

(3) in subparagraph (E), as redesignated by paragraph (1), by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)”.

SEC. 552. COMPREHENSIVE PLAN ON PREVENTION, DIAGNOSIS, AND TREATMENT OF SUBSTANCE USE DISORDERS AND DISPOSITION OF SUBSTANCE ABUSE OFFENDERS IN THE ARMED FORCES.

(a) *REVIEW AND ASSESSMENT OF CURRENT CAPABILITIES.*—

(1) *IN GENERAL.*—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, conduct a comprehensive review of the following:

(A) The programs and activities of the Department of Defense for the prevention, diagnosis, and treatment of substance use disorders in members of the Armed Forces.

(B) The policies of the Department of Defense relating to the disposition of substance abuse offenders in the Armed Forces, including disciplinary action and administrative separation.

(2) *ELEMENTS.*—The review conducted under paragraph (1) shall include, but not be limited to, an assessment of each of the following:

(A) The current state and effectiveness of the programs of the Department of Defense and the military departments relating to the prevention, diagnosis, and treatment of substance use disorders.

(B) The adequacy of the availability of and access to care for substance abusers in military medical treatment facilities and under the TRICARE program.

(C) The adequacy of oversight by the Department of Defense of programs relating to the prevention, diagnosis, and treatment of substance abuse in members of the Armed Forces.

(D) The adequacy and appropriateness of current credentials and other requirements for healthcare professionals treating members of the Armed Forces with substance use disorders.

(E) The advisable ratio of physician and non-physician care providers for substance use disorders to members of the Armed Forces with such disorders.

(F) The adequacy and appropriateness of protocols and directives for the diagnosis and treatment of substance use disorders in members of the Armed Forces and for the disposition, including disciplinary action and administrative separation, of members of the Armed Forces who abuse substances.

(G) The adequacy of the availability of and access to care for substance use disorders for members of the reserve components of the Armed Forces, including an identification of any obstacles that are unique to the prevention, diagnosis, and treatment of substance use disorders and the appropriate disposition of substance abuse offenders (including disciplinary action and administrative separation) in members of the reserve components of the Armed Forces.

(H) The adequacy of the prevention, diagnosis, and treatment of substance use disorders in family members of members of the Armed Forces.

(I) Any gaps in the current capabilities of the Department of Defense for the prevention, diagnosis, and treatment of substance use disorders in members of the Armed Forces.

(3) *REPORT.*—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the findings and recommendations of the Secretary as a result of the review conducted under paragraph (1). The report shall—

(A) set forth the findings and recommendations of the Secretary regarding each element of the review specified in paragraph (2);

(B) set forth relevant statistics on the frequency of substance use disorders, disciplinary actions, and administrative separations for substance abuse in members of the regular components of the Armed Forces, members of the reserve component of the Armed Forces, and to the extent applicable, dependents of such members (including spouses and children); and

(C) include such other findings and recommendations on improvements to the current capabilities of the Department of Defense for the prevention, diagnosis, and treatment of substance use disorders in members of the Armed Forces and the policies relating to the disposition, including disciplinary action and adminis-

trative separation, of members of the Armed Forces for substance abuse, as the Secretary considers appropriate.

(b) *PLAN FOR IMPROVEMENT AND ENHANCEMENT OF PROGRAMS AND POLICIES.*—

(1) *PLAN REQUIRED.*—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan for the improvement and enhancement of the following:

(A) The programs and activities of the Department of Defense for the prevention, diagnosis, and treatment of substance use disorders in members of the Armed Forces and their dependent family members.

(B) The policies of the Department of Defense relating to the disposition of substance abuse offenders in the Armed Forces, including disciplinary action and administrative separation.

(2) *BASIS.*—The comprehensive plan required by paragraph (1) shall take into account the following:

(A) The results of the review and assessment conducted under subsection (a).

(B) Similar initiatives of the Secretary of Veterans Affairs to expand and improve care for substance use disorders among veterans, including the programs and activities conducted under title I of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110-387; 112 Stat. 4112).

(3) *COMPREHENSIVE STATEMENT OF POLICY.*—The comprehensive plan required by paragraph (1) shall include a comprehensive statement of the following:

(A) The policy of the Department of Defense regarding the prevention, diagnosis, and treatment of substance use disorders in members of the Armed Forces and their dependent family members.

(B) The policies of the Department of Defense relating to the disposition of substance abuse offenders in the Armed Forces, including disciplinary action and administrative separation.

(4) *AVAILABILITY OF SERVICES AND TREATMENT.*—The comprehensive plan required by paragraph (1) shall include mechanisms to ensure the availability to members of the Armed Forces and their dependent family members of a core of evidence-based practices across the spectrum of medical and non-medical services and treatments for substance use disorders.

(5) *PREVENTION AND REDUCTION OF DISORDERS.*—The comprehensive plan required by paragraph (1) shall include mechanisms to facilitate the prevention and reduction of substance use disorders in members of the Armed Forces through science-based initiatives, including education programs, for members of the Armed Forces and their families.

(6) *SPECIFIC INSTRUCTIONS.*—The comprehensive plan required by paragraph (1) shall include each of the following:

(A) *SUBSTANCES OF ABUSE.*—Instructions on the prevention, diagnosis, and treatment of substance abuse in members of the Armed Forces, including the abuse of alcohol, illicit drugs, and nonmedical use and abuse of prescription drugs.

(B) *HEALTHCARE PROFESSIONALS.*—Instructions on—

(i) appropriate training of healthcare professionals in the prevention, screening, diagnosis, and treatment of substance use disorders in members of the Armed Forces;

(ii) appropriate staffing levels for healthcare professionals at military medical treatment facilities for the prevention, screening, diagnosis, and treatment of substance use disorders in members of the Armed Forces; and

(iii) such uniform training and credentialing requirements for physician and nonphysician healthcare professionals in the prevention, screening, diagnosis, and treatment of substance use disorders in members of the Armed Forces as the Secretary considers appropriate.

(C) *SERVICES FOR DEPENDENT FAMILY MEMBERS.*—Instructions on the availability of serv-

ices for substance use disorders for dependent family members of members of the Armed Forces, including instructions on making such services available to such dependents to the maximum extent practicable.

(D) *RELATIONSHIP BETWEEN DISCIPLINARY ACTION AND TREATMENT.*—Policy on the relationship between disciplinary actions and administrative separation processing and prevention and treatment of substance use disorders in members of the Armed Forces.

(E) *CONFIDENTIALITY.*—Recommendations regarding policies pertaining to confidentiality for members of the Armed Forces in seeking or receiving services or treatment for substance use disorders.

(F) *PARTICIPATION OF CHAIN OF COMMAND.*—Policy on appropriate consultation, reference to, and involvement of the chain of command of members of the Armed Forces in matters relating to the diagnosis and treatment of substance abuse and disposition of military members who abuse substances.

(G) *CONSIDERATION OF GENDER.*—Instructions on gender specific requirements, if appropriate, in the prevention, diagnosis, treatment, and management of substance use disorders in members of the Armed Forces, including gender specific care and treatment requirements.

(H) *COORDINATION WITH OTHER HEALTHCARE INITIATIVES.*—Instructions on the integration of efforts on the prevention, diagnosis, treatment, and management of substance use disorders in members of the Armed Forces with efforts to address co-occurring health care disorders (such as post-traumatic stress disorder (PTSD) and depression) and suicide prevention.

(7) *OTHER ELEMENTS.*—In addition to the matters specified in paragraph (3), the comprehensive plan required by paragraph (1) shall include the following:

(A) *IMPLEMENTATION PLAN.*—An implementation plan for the achievement of the goals of the comprehensive plan, including goals relating to the following:

(i) Enhanced education of members of the Armed Forces and their families regarding substance use disorders.

(ii) Enhanced and improved identification and diagnosis of substance use disorders in members of the Armed Forces and their families.

(iii) Enhanced and improved access of members of the Armed Forces to services and treatment for and management of substance use disorders.

(iv) Appropriate staffing of military medical treatment facilities and other facilities for the treatment of substance use disorders in members of the Armed Forces.

(B) *BEST PRACTICES.*—The incorporation of evidence-based best practices utilized in current military and civilian approaches to the prevention, diagnosis, treatment, and management of substance use disorders.

(C) *AVAILABLE RESEARCH.*—The incorporation of applicable results of available studies, research, and academic reviews on the prevention, diagnosis, treatment, and management of substance use disorders.

(8) *UPDATE IN LIGHT OF INDEPENDENT STUDY.*—Upon the completion of the study required by subsection (c), the Secretary of Defense shall—

(A) in consultation with the Secretaries of the military departments, make such modifications and improvements to the comprehensive plan required by paragraph (1) as the Secretary of Defense considers appropriate in light of the findings and recommendations of the study; and

(B) submit to the congressional defense committees a report setting forth the comprehensive plan as modified and improved under subparagraph (A).

(c) *INDEPENDENT REPORT ON SUBSTANCE USE DISORDERS PROGRAMS FOR MEMBERS OF THE ARMED FORCES.*—

(1) *STUDY REQUIRED.*—Upon completion of the policy review required by subsection (a), the

Secretary of Defense shall provide for a study on substance use disorders programs for members of the Armed Forces to be conducted by the Institute of Medicine of the National Academies of Sciences or such other independent entity as the Secretary shall select for purposes of the study.

(2) **ELEMENTS.**—The study required by paragraph (1) shall include a review and assessment of the following:

(A) The adequacy and appropriateness of protocols for the diagnosis, treatment, and management of substance use disorders in members of the Armed Forces.

(B) The adequacy of the availability of and access to care for substance use disorders in military medical treatment facilities and under the TRICARE program.

(C) The adequacy and appropriateness of current credentials and other requirements for physician and non-physician healthcare professionals treating members of the Armed Forces with substance use disorders.

(D) The advisable ratio of physician and non-physician care providers for substance use disorders to members of the Armed Forces with such disorders.

(E) The adequacy of the availability of and access to care for substance use disorders for members of the reserve components of the Armed Forces when compared with the availability of and access to care for substance use disorders for members of the regular components of the Armed Forces.

(F) The adequacy of the prevention, diagnosis, treatment, and management of substance use disorder programs for dependent family members of members of the Armed Forces, whether such family members suffer from their own substance use disorder or because of the substance use disorder of a member of the Armed Forces.

(G) Such other matters as the Secretary considers appropriate for purposes of the study.

(3) **REPORT.**—Not later than two years after the date of the enactment of this Act, the entity conducting the study required by paragraph (1) shall submit to the Secretary of Defense and the congressional defense committees a report on the results of the study. The report shall set forth the findings and recommendations of the entity as a result of the study.

SEC. 553. MILITARY COMMUNITY SUPPORT FOR CHILDREN WITH AUTISM AND THEIR FAMILIES.

(a) **POLICY ON MILITARY COMMUNITY SUPPORT REQUIRED.**—The Secretary of Defense shall develop and implement a policy for the Department of Defense on the support of military children with autism and their families. The policy shall seek to establish and further an integrated, family-centered approach to providing services to military children with autism and their families by leveraging the resources of local military communities and local and national public and private entities devoted to research and services for autism.

(b) **PROGRAM ON SUPPORT.**—

(1) **PROGRAM REQUIRED.**—In carrying out the policy required by subsection (a), the Secretary shall develop and carry out a program on support for military children with autism and their families.

(2) **ELEMENTS.**—The program required by this subsection shall provide for broad-based services, including the following:

(A) Research.

(B) Early intervention.

(C) Evidence-based therapeutic and medical services.

(D) Education and training on autism for family members.

(E) Appropriate coordination with applicable school programs.

(F) Vocational training for adolescent military children with autism.

(G) Family counseling for families of military children with autism.

(3) **PILOT PROJECTS.**—In carrying out the program required by this subsection, the Secretary shall conduct one or more pilot projects to assess the effectiveness of various approaches to developing and enhancing integrated community support for military children with autism, including adolescent military children with autism, and their families utilizing the program elements specified in paragraph (2).

(4) **CONSULTATION.**—For purposes of carrying out the requirements of this subsection, the Secretary shall establish a partnership with one or more entities (whether public or private) that provide services or support for, or conduct research on, individuals with autism spectrum disorder and their families.

(c) **REPORTS.**—

(1) **INITIAL REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report setting forth the actions the Secretary proposes to take to carry out this section and a proposed schedule for the taking of such actions.

(2) **PILOT PROJECTS.**—Not later than 60 days after the date of the completion of the pilot project or projects conducted under subsection (b)(3), the Secretary shall submit to the congressional defense committees a report on the pilot project or projects. The report shall include a description of the pilot project or projects, an assessment of the lessons learned from the pilot project or projects, and a discussion of the manner in which the lessons so learned shall be integrated into the policy required by subsection (a) and the program required by subsection (b).

(d) **FUNDING.**—Of the amount authorized to be appropriated for fiscal year 2010 pursuant to section 301(a)(5) for operation and maintenance, Defense-wide activities, \$5,000,000 may be available to carry out this section.

(e) **MILITARY CHILDREN WITH AUTISM DEFINED.**—In this section, the term “military children with autism” means dependent children of members of the Armed Forces with autism spectrum disorder.

SEC. 554. REPORTS ON EFFECTS OF DEPLOYMENTS ON MILITARY CHILDREN AND THE AVAILABILITY OF MENTAL HEALTH CARE AND COUNSELING SERVICES FOR MILITARY CHILDREN.

(a) **IMPACT OF DEPLOYMENTS OF MILITARY PARENTS ON MILITARY CHILDREN.**—

(1) **IN GENERAL.**—The Secretary of Defense shall undertake a comprehensive assessment of the impacts of military deployment on dependent children of members of the Armed Forces. The assessment shall separately address each of the categories of such children as follows:

(A) Preschool-age children.

(B) Elementary-school age children.

(C) Teenage or adolescent children.

(2) **ELEMENTS.**—The assessment undertaken under paragraph (1) shall include an assessment of the following:

(A) The impact that separation due to the deployment of a military parent or parents has on children.

(B) The impact that multiple deployments of a military parent or parents have on children.

(C) The impact that the return from deployment of a severely wounded or injured military parent or parents has on children.

(D) The impact that the death of a military parent or parents in connection with a deployment has on children.

(E) The impact that deployment of a military parent or parents has on children with pre-existing psychological conditions, such as anxiety and depression.

(F) The impact that deployment of a military parent or parents has on risk factors such as child abuse, child neglect, family violence, substance abuse by children, or parental substance abuse.

(G) Such other matters as the Secretary considers appropriate.

(3) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary

shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the assessment undertaken under paragraph (1), including the findings and recommendations of the Secretary as a result of the assessment.

(b) **MENTAL HEALTH CARE AND COUNSELING SERVICES AVAILABLE TO MILITARY CHILDREN.**—

(1) **IN GENERAL.**—The Secretary of Defense shall conduct a comprehensive review of the mental health care and counseling services available to dependent children of members of the Armed Forces through the Department of Defense.

(2) **ELEMENTS.**—The review under paragraph (1) shall include an assessment of the following:

(A) The availability, quality, and effectiveness of Department of Defense programs intended to meet the mental health care needs of military children.

(B) The availability, quality, and effectiveness of Department of Defense programs intended to promote resiliency in military children in coping with deployment cycles, injury, or death in military parents.

(C) The extent of access to, adequacy, and availability of mental health care and counseling services for military children in military medical treatment facilities, in family assistance centers, through Military OneSource, under the TRICARE program, and in Department of Defense dependents' schools.

(D) Whether the status of a member of the Armed Forces on active duty, or in reserve active status, affects the access of a military child to mental health care and counseling services.

(E) Whether, and to what extent, waiting lists, geographic distance, and other factors may obstruct the receipt by military children of mental health care and counseling services.

(F) The extent of access to, availability, and viability of specialized mental health care for military children (including adolescents).

(G) The extent of any gaps in the current capabilities of the Department of Defense to provide preventive mental health services for military children.

(H) Such other matters as the Secretary considers appropriate.

(3) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the review conducted under paragraph (1), including the findings and recommendations of the Secretary as a result of the review.

(4) **COMPREHENSIVE PLAN FOR IMPROVEMENTS IN ACCESS TO CARE AND COUNSELING.**—The Secretary shall develop a comprehensive plan for improvements in access to quality mental health care and counseling services for military children in order to develop and promote psychological health and resilience in children of deploying and deployed members of the Armed Forces. The information in the report required by paragraph (3) shall provide the basis for the development of the plan.

SEC. 555. REPORT ON CHILD CUSTODY LITIGATION INVOLVING SERVICE OF MEMBERS OF THE ARMED FORCES.

(a) **REPORT REQUIRED.**—Not later than June 1, 2010, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on all known reported cases since September 2003 involving child custody disputes in which the service of a member of the Armed Forces, whether a member of a regular component of the Armed Forces or a member of a reserve component of the Armed Forces, was an issue in the custody dispute.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A statement of the total number of cases, by Armed Force, in which members of the Armed Forces have lost custody of a child as a result of deployment, or the prospect of deployment, under military orders.

(2) A summary of applicable Federal law pertaining to child custody disputes involving members of the Armed Forces.

(3) An analysis of the litigation history of all available reported cases involving child custody disputes in which the deployment of a member of the Armed Forces was an issue in the dispute, and a discussion of the rationale presented by deciding judges and courts of the reasons for their rulings.

(4) An assessment of the nature and extent of the problem, if any, for members of the Armed Forces who are custodial parents in being able to deploy and perform their operational mission while continuing to fulfill their role as parents with sole or joint custody of minor children.

(5) A discussion of measures being taken by the States, or which are under consideration by State legislatures, to address matters relating to child custody disputes in which one of the parties is a member of the Armed Forces, and an assessment whether State legislatures and State courts are cognizant of issues involving members of the Armed Forces with minor children.

(6) A discussion of Family Care Plan policies aimed at ensuring that appropriate measures are taken by members of the Armed Forces to avoid litigation in child custody disputes.

(7) Such recommendations as the Secretary considers appropriate regarding how best to assist members of the Armed Forces who are single, custodial parents with respect to child custody disputes in connection with the performance of military duties, including the need for legislative or administrative action to provide such assistance.

(8) Such other recommendations for legislative or administrative action as the Secretary considers appropriate.

SEC. 556. SENSE OF SENATE ON PREPARATION AND COORDINATION OF FAMILY CARE PLANS.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) Family Care Plans provide a military tool to document the plan by which members of the Armed Forces provide for the care of their family members when military duties prevent members of the Armed Forces from doing so themselves. Properly prepared Family Care Plans are essential to military readiness. Minimizing the strain on members of the Armed Forces of unresolved, challenged, or voided child custody arrangements arising during deployments or temporary duty directly contributes to the national defense by enabling members of the Armed Forces to devote their entire energy to their military mission and duties.

(2) When Family Care Plans are properly prepared and coordinated with all affected parties, the legal difficulties that may otherwise arise in the absence of the military custodial parent often can be minimized, if not eliminated.

(b) **SENSE OF SENATE.**—It is the sense of the Senate that—

(1) the responsibility for establishing workable and legally supportable Family Care Plans lies with the members of the Armed Forces;

(2) notwithstanding that responsibility, commanders should—

(A) ensure that the members of their command fully understand the purpose of the Family Care Plan and its limitations, including the overriding authority of State courts to determine child custody arrangements notwithstanding a Family Care Plan;

(B) understand and emphasize to their members that failure to involve, or at least inform, the non-custodial parent of custody arrangements in anticipation of an absence can undermine the Family Care Plan or even render it useless, in such cases; and

(C) apprise their members of the risks described in subparagraph (B), and strongly encourage them to seek legal assistance, as far in advance of actual absences as practicable;

(3) the Secretary of Defense, and the Secretary of Homeland Security with respect to

matters concerning the Coast Guard when it is not operating as a service in the Navy, should ensure that members of the Armed Forces update their Family Care Plans and emphasize—

(A) the importance of prior planning;

(B) that Family Care Plans are necessary not only for the single parent and for the dual military couple but also for a married member of the Armed Forces who has custody of a child pursuant to a court order or separation agreement or who has custody of a child whose other parent is not the current spouse of the member;

(C) that in spite of how important Family Care Plans are to readiness, they are not legal documents that can change a court-mandated custodial arrangement or interfere with the other parent's right to custody of his or her child;

(D) that, to the greatest extent possible, a member of the Armed Forces should inform the other parent of the member's impending absence due to military orders if such absence prohibits the member from fulfilling the member's custody responsibilities and inform that other parent of the Family Care Plan;

(E) that a member of the Armed Forces should attempt to obtain the consent of the non-custodial or adoptive parent to any Family Care Plan that would leave the child in the care of a third party; and

(F) that if a member of the Armed Forces cannot or will not contact the non-custodial parent or cannot obtain that parent's consent to the Family Care Plan, the commander of the member should—

(i) counsel the member about the implications; and

(ii) encourage in the strongest possible terms that the member seek immediate help from a legal assistance attorney or other qualified legal counsel; and

(4) attorneys providing legal assistance as described in paragraph (3)(F)(ii) should provide members of the Armed Forces a full explanation of the dangers of not involving the non-custodial parent and discuss appropriate courses of action.

SEC. 557. EXPANSION OF SUICIDE PREVENTION AND COMMUNITY HEALING AND RESPONSE TRAINING UNDER THE YELLOW RIBBON REINTEGRATION PROGRAM.

Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note) is amended—

(1) in subsection (h)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) through (15) as paragraphs (3) through (14), respectively; and

(2) by adding at the end the following new subsection:

“(i) **SUICIDE PREVENTION AND COMMUNITY HEALING AND RESPONSE PROGRAM.**—

“(1) **ESTABLISHMENT.**—As part of the Yellow Ribbon Reintegration Program, the Office for Reintegration Programs shall establish a program to provide National Guard and Reserve members and their families, and in coordination with community programs, assist the communities, with training in suicide prevention and community healing and response to suicide.

“(2) **DESIGN.**—In establishing the program under paragraph (1), the Office for Reintegration Programs shall consult with—

“(A) persons that have experience and expertise with combining military and civilian intervention strategies that reduce risk and promote healing after a suicide attempt or suicide death for National Guard and Reserve members; and

“(B) the adjutant general of each State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

“(3) **OPERATION.**—

“(A) **SUICIDE PREVENTION TRAINING.**—The Office for Reintegration Programs shall provide National Guard and Reserve members with training in suicide prevention. Such training shall include—

“(i) describing the warning signs for suicide and teaching effective strategies for prevention and intervention;

“(ii) examining the influence of military culture on risk and protective factors for suicide; and

“(iii) engaging in interactive case scenarios and role plays to practice effective intervention strategies.

“(B) **COMMUNITY HEALING AND RESPONSE TRAINING.**—The Office for Reintegration Programs shall provide the families and communities of National Guard and Reserve members with training in responses to suicide that promote individual and community healing. Such training shall include—

“(i) enhancing collaboration among community members and local service providers to create an integrated, coordinated community response to suicide;

“(ii) communicating best practices for preventing suicide, including safe messaging, appropriate memorial services, and media guidelines;

“(iii) addressing the impact of suicide on the military and the larger community, and the increased risk that can result; and

“(iv) managing resources to assist key community and military service providers in helping the families, friends, and fellow soldiers of a suicide victim through the processes of grieving and healing.

“(C) **COLLABORATION WITH CENTERS OF EXCELLENCE.**—The Office for Reintegration Programs, in consultation with the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury, shall collect and analyze ‘lessons learned’ and suggestions from State National Guard and Reserve organizations with existing or developing suicide prevention and community response programs.

“(4) **TERMINATION.**—The program established under this subsection shall terminate on October 1, 2012.”.

SEC. 558. REPORT ON YELLOW RIBBON REINTEGRATION PROGRAM.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the various reintegration programs being administered in support of National Guard and Reserve members and their families.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) An evaluation of the initial implementation of the Yellow Ribbon Reintegration Program in fiscal year 2009, including an assessment of the best practices from pilot programs offered by various States to provide supplemental services to Yellow Ribbon and the feasibility of incorporating those practices into Yellow Ribbon.

(2) An assessment of the extent to which Yellow Ribbon funding, although requested in multiple component accounts, supports robust joint programs that provide reintegration and support services to National Guard and Reserve members and their families regardless of military affiliation.

(3) An assessment of the extent to which Yellow Ribbon programs are coordinating closely with the Department of Veterans Affairs and its various veterans’ programs.

(4) Plans for further implementation of the Yellow Ribbon Reintegration Program in fiscal year 2010.

SEC. 559. IMPROVED ACCESS TO MENTAL HEALTH CARE FOR FAMILY MEMBERS OF MEMBERS OF THE NATIONAL GUARD AND RESERVE WHO ARE DEPLOYED OVERSEAS.

(a) **INITIATIVE TO INCREASE ACCESS TO MENTAL HEALTH CARE.**—

(1) **IN GENERAL.**—The Secretary of Defense shall develop and implement a plan to expand existing initiatives of the Department of Defense to increase access to mental health care for family members of members of the National Guard

and Reserve deployed overseas during the periods of mobilization, deployment, and demobilization of such members of the National Guard and Reserve.

(2) **ELEMENTS.**—The plan required by paragraph (1) shall include the following:

(A) Programs and activities to educate family members of members of the National Guard and Reserve who are deployed overseas on potential mental health challenges connected with such deployment.

(B) Programs and activities to provide such family members with complete information on all mental health resources available to such family members through the Department of Defense and otherwise.

(C) Efforts to expand counseling activities for such family members in local communities.

(b) **REPORTS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and at such times thereafter as the Secretary of Defense considers appropriate, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on this section.

(2) **ELEMENTS.**—Each report shall include the following:

(A) A current assessment of the extent to which family members of members of the National Guard and Reserve who are deployed overseas have access to, and are utilizing, mental health care available under this section.

(B) A current assessment of the quality of mental health care being provided to family members of members of the National Guard and Reserve who are deployed overseas, and an assessment of expanding coverage for mental health care services under the TRICARE program to mental health care services provided at facilities currently outside the network of the TRICARE program.

(C) Such recommendations for legislative or administration action as the Secretary considers appropriate in order to further assure full access to mental health care by family members of members of the National Guard and Reserve who are deployed overseas during the mobilization, deployment, and demobilization of such members of the National Guard and Reserve.

SEC. 560. FULL ACCESS TO MENTAL HEALTH CARE FOR FAMILY MEMBERS OF MEMBERS OF THE NATIONAL GUARD AND RESERVE WHO ARE DEPLOYED OVERSEAS.

(a) **EXPANDED INITIATIVE TO INCREASE ACCESS TO MENTAL HEALTH CARE.**—

(1) **IN GENERAL.**—The Secretary of Defense shall expand existing Department of Defense initiatives to increase access to mental health care for family members of members of the National Guard and Reserve deployed overseas during the periods of mobilization, deployment, and demobilization of such members of the National Guard and Reserve.

(2) **ELEMENTS.**—The expanded initiatives, which shall build upon and be consistent with ongoing efforts, shall include the following:

(A) Programs and activities to educate the family members of members of the National Guard and Reserve who are deployed overseas on potential mental health challenges connected with such deployment.

(B) Programs and activities to provide such family members with complete information on all mental health resources available to such family members through the Department of Defense and otherwise.

(C) Guidelines for mental health counselors at military installations in communities with large numbers of mobilized members of the National Guard and Reserve to expand the reach of their counseling activities to include families of such members in such communities.

(b) **REPORTS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and at such times as the Secretary deems appropriate

thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on this section.

(2) **ELEMENTS.**—Each report shall include the following:

(A) A current assessment of the extent to which family members of members of the National Guard and Reserve who are deployed overseas have access to, and are utilizing, mental health care available under this section.

(B) A current assessment of the quality of mental health care being provided to family members of members of the National Guard and Reserve who are deployed overseas, and an assessment of expanding coverage for mental health care services under the TRICARE program to mental health care services provided at facilities currently outside the accredited network of the TRICARE program.

(C) Such recommendations for legislative or administration action as the Secretary considers appropriate in order to further assure full access to mental health care by family members of members of the National Guard and Reserve who are deployed overseas during the mobilization, deployment, and demobilization of such members of the National Guard and Reserve.

SEC. 561. COMPTROLLER GENERAL REPORT ON CHILD CARE ASSISTANCE FOR DEPLOYED MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) **IN GENERAL.**—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representative a report on financial assistance for child care provided by the Department of Defense, including through the Operation: Military Child Care and Military Child Care in Your Neighborhood programs, to members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation.

(b) **ELEMENTS.**—The report required by subsection (a) shall include an assessment of the following:

(1) The types of financial assistance for child care made available by the Department of Defense to members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation.

(2) The extent to which such members have taken advantage of such assistance since such assistance was first made available.

(3) The formulas used for calculating the amount of such assistance provided to such members.

(4) The funding allocated to such assistance.

(5) The remaining costs of child care to families of such members that are not covered by the Department of Defense.

(6) Any barriers to access to such assistance faced by such members and the families of such members.

(7) The different criteria used by different States with respect to the regulation of child care services and the potential impact differences in such criteria may have on the access of such members to such assistance.

(8) The different standards and criteria used by different programs of the Department of Defense for providing such assistance with respect to child care providers and the potential impact differences in such standards and criteria may have on the access of such members to such assistance.

(9) Any other matters the Comptroller General determines relevant to the improvement of financial assistance for child care made available by the Department of Defense to members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation.

Subtitle G—Other Matters

SEC. 571. DEADLINE FOR REPORT ON SEXUAL ASSAULT IN THE ARMED FORCES BY DEFENSE TASK FORCE ON SEXUAL ASSAULT IN THE MILITARY SERVICES.

Section 576(e)(1) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1924; 10 U.S.C. 4331 note) is amended by striking “one year after the initiation of its examination under subsection (b)” and inserting “December 1, 2009”.

SEC. 572. CLARIFICATION OF PERFORMANCE POLICIES FOR MILITARY MUSICAL UNITS AND MUSICIANS.

(a) **CLARIFICATION.**—Section 974 of title 10, United States Code, is amended to read as follows:

“§974. Military musical units and musicians: performance policies; restriction on performance in competition with local civilian musicians

“(a) **MILITARY MUSICIANS PERFORMING IN AN OFFICIAL CAPACITY.**—(1) A military musical unit, and a member of the armed forces who is a member of such a unit performing in an official capacity, may not engage in the performance of music in competition with local civilian musicians.

“(2) For purposes of paragraph (1), the following shall, except as provided in paragraph (3), be included among the performances that are considered to be a performance of music in competition with local civilian musicians:

“(A) A performance that is more than incidental to an event that—

“(i) is not supported, in whole or in part, by United States Government funds; and

“(ii) is not free to the public.

“(B) A performance of background, dinner, dance, or other social music at an event that—

“(i) is not supported, in whole or in part, by United States Government funds; and

“(ii) is held at a location not on a military installation.

“(3) For purposes of paragraph (1), the following shall not be considered to be a performance of music in competition with local civilian musicians:

“(A) A performance (including background, dinner, dance, or other social music) at an official United States Government event that is supported, in whole or in part, by United States Government funds.

“(B) A performance at a concert, parade, or other event, that—

“(i) is a patriotic event or a celebration of a national holiday; and

“(ii) is free to the public.

“(C) A performance that is incidental to an event that—

“(i) is not supported, in whole or in part, by United States Government funds; or

“(ii) is not free to the public.

“(D) A performance (including background, dinner, dance, or other social music) at—

“(i) an event that is sponsored by or for a military welfare society, as defined in section 2566 of this title;

“(ii) an event that is a traditional military event intended to foster the morale and welfare of members of the armed forces and their families; or

“(iii) an event that is specifically for the benefit or recognition of members of the armed forces, their family members, veterans, civilian employees of the Department of Defense, or former civilian employees of the Department of Defense, to the extent provided in regulations prescribed by the Secretary of Defense.

“(E) A performance (including background, dinner, dance, or other social music)—

“(i) to uphold the standing and prestige of the United States with dignitaries and distinguished or prominent persons or groups of the United States or another nation; or

“(ii) in support of fostering and sustaining a cooperative relationship with another nation.

“(b) **PROHIBITION OF MILITARY MUSICIANS ACCEPTING ADDITIONAL REMUNERATION FOR OFFICIAL PERFORMANCES.**—A military musical unit, and a member of the armed forces who is a member of such a unit performing in an official capacity, may not receive remuneration for an official performance, other than applicable military pay and allowances.

“(c) **RECORDINGS.**—(1) When authorized under regulations prescribed by the Secretary of Defense for purposes of this section, a military musical unit may produce recordings for distribution to the public, at a cost not to exceed expenses of production and distribution.

“(2) Amounts received in payment for a recording distributed to the public under this subsection shall be credited to the appropriation or account providing the funds for the production of the recording. Any amount so credited shall be merged with amounts in the appropriation or account to which credited, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.

“(d) **PERFORMANCES AT FOREIGN LOCATIONS.**—Subsection (a) does not apply to a performance outside the United States, its commonwealths, or its possessions.

“(e) **MILITARY MUSICAL UNIT DEFINED.**—In this section, the term ‘military musical unit’ means a band, ensemble, chorus, or similar musical unit of the armed forces.”.

(b) **CLERICAL AMENDMENT.**—The item relating to such section in the table of sections at the beginning of chapter 49 of such title is amended to read as follows:

“974. Military musical units and musicians: performance policies; restriction on performance in competition with local civilian musicians.”.

SEC. 573. GUARANTEE OF RESIDENCY FOR SPOUSES OF MILITARY PERSONNEL FOR VOTING PURPOSES.

(a) **IN GENERAL.**—Section 705 of the Servicemembers Civil Relief Act (50 U.S.C. App. 595) is amended—

(1) by striking “For” and inserting the following:

“(a) **IN GENERAL.**—For”;

(2) by adding at the end the following new subsection:

“(b) **SPOUSES.**—For the purposes of voting for any Federal office (as defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)) or a State or local office, a person who is absent from a State because the person is accompanying the person’s spouse who is absent from that same State in compliance with military or naval orders shall not, solely by reason of that absence—

“(1) be deemed to have lost a residence or domicile in that State, without regard to whether or not the person intends to return to that State;

“(2) be deemed to have acquired a residence or domicile in any other State; or

“(3) be deemed to have become a resident in or a resident of any other State.”; and

(3) in the section heading, by inserting “**AND SPOUSES OF MILITARY PERSONNEL**” before the period at the end.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of such Act (50 U.S.C. App. 501) is amended by striking the item relating to section 705 and inserting the following new item: “Sec. 705. Guarantee of residency for military personnel and spouses of military personnel.”.

(c) **APPLICATION.**—Subsection (b) of section 705 of such Act (50 U.S.C. App. 595), as added by subsection (a) of this section, shall apply with respect to absences from States described in such subsection (b) on or after the date of the enactment of this Act, regardless of the date of the military or naval order concerned.

SEC. 574. DETERMINATION FOR TAX PURPOSES OF RESIDENCE OF SPOUSES OF MILITARY PERSONNEL.

(a) **IN GENERAL.**—Section 511 of the Servicemembers Civil Relief Act (50 U.S.C. App. 571) is amended—

(1) in subsection (a)—

(A) by striking “A servicemember” and inserting the following:

“(1) **IN GENERAL.**—A servicemember”; and

(B) by adding at the end the following:

“(2) **SPOUSES.**—A spouse of a servicemember shall neither lose nor acquire a residence or domicile for purposes of taxation with respect to the person, personal property, or income of the spouse by reason of being absent or present in any tax jurisdiction of the United States solely to be with the servicemember in compliance with the servicemember’s military orders if the residence or domicile, as the case may be, is the same for the servicemember and the spouse.”;

(2) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g), respectively;

(3) by inserting after subsection (b) the following new subsection:

“(c) **INCOME OF A MILITARY SPOUSE.**—Income for services performed by the spouse of a servicemember shall not be deemed to be income for services performed or from sources within a tax jurisdiction of the United States if the spouse is not a resident or domiciliary of the jurisdiction in which the income is earned because the spouse is in the jurisdiction solely to be with the servicemember serving in compliance with military orders.”; and

(4) in subsection (d), as redesignated by paragraph (2)—

(A) in paragraph (1), by inserting “or the spouse of a servicemember” after “The personal property of a servicemember”; and

(B) in paragraph (2), by inserting “or the spouse’s” after “servicemember’s”.

(b) **APPLICATION.**—Subsections (a)(2) and (c) of section 511 of such Act (50 U.S.C. App. 571), as added by subsection (a) of this section, and the amendments made to such section 511 by subsection (a)(4) of this section, shall apply with respect to any return of State or local income tax filed for any taxable year beginning with the taxable year that includes the date of the enactment of this Act.

SEC. 575. SUSPENSION OF LAND RIGHTS RESIDENCY REQUIREMENT FOR SPOUSES OF MILITARY PERSONNEL.

(a) **IN GENERAL.**—Section 508 of the Servicemembers Civil Relief Act (50 U.S.C. App. 568) is amended in subsection (b) by inserting “or the spouse of such servicemember” after “a servicemember in military service”.

(b) **APPLICATION.**—The amendment made by subsection (a) shall apply with respect to servicemembers in military service (as defined in section 101 of such Act (50 U.S.C. App. 511)) on or after the date of the enactment of this Act.

SEC. 576. MODIFICATION OF DEPARTMENT OF DEFENSE SHARE OF EXPENSES UNDER NATIONAL GUARD YOUTH CHALLENGE PROGRAM.

(a) **MODIFICATION.**—Section 509(d)(1) of title 32, United States Code, is amended by striking “may not exceed” and all that follows and inserting “may not exceed the amount as follows:

“(A) In the case of a State program of the Program in either of its first two years of operation, an amount equal to 100 percent of the costs of operating the State program in that fiscal year.

“(B) In the case of any other State program of the Program, an amount equal to 75 percent of the costs of operating the State program in that fiscal year.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on October 1, 2009, and shall apply with respect to fiscal years beginning on or after that date.

SEC. 577. PROVISION TO MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES OF COMPREHENSIVE INFORMATION ON BENEFITS FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

(a) **PROVISION OF COMPREHENSIVE INFORMATION REQUIRED.**—The Secretary of the military department concerned shall, at each time specified in subsection (b), provide to each member of the Armed Forces and, when practicable, the family members of such member comprehensive information on the benefits available to such member and family members as described in subsection (c), including the estimated monetary amount of such benefits and of any applicable offsets to such benefits.

(b) **TIMES FOR PROVISION OF INFORMATION.**—Comprehensive information on benefits shall be provided a member of the Armed Forces and family members at each time as follows:

(1) Within 180 days of the enlistment, accession, or commissioning of the member as a member of the Armed Forces.

(2) Within 180 days of a determination that the member—

(A) has incurred a service-connected disability; and

(B) is unfit to perform the duties of the member’s office, grade, rank, or rating because of such disability.

(3) Upon the discharge, separation, retirement, or release of the member from the Armed Forces.

(c) **COVERED BENEFITS.**—The benefits on which a member of the Armed Forces and family members shall be provided comprehensive information under this section shall be as follows:

(1) At all the times described in subsection (b), the benefits shall include the following:

(A) Financial compensation, including financial counseling.

(B) Health care and life insurance programs for members of the Armed Forces and their families.

(C) Death benefits.

(D) Entitlements and survivor benefits for dependents of the Armed Forces, including offsets in the receipt of such benefits under the Survivor Benefit Plan and in connection with the receipt of dependency and indemnity compensation.

(E) Educational assistance benefits, including limitations on and the transferability of such assistance.

(F) Housing assistance benefits, including counseling.

(G) Relocation planning and preparation.

(H) Such other benefits as the Secretary concerned considers appropriate.

(2) At the time described in paragraph (1) of such subsection, the benefits shall include the following:

(A) Maintaining military records.

(B) Legal assistance.

(C) Quality of life programs.

(D) Family and community programs.

(E) Such other benefits as the Secretary concerned considers appropriate.

(3) At the times described in paragraphs (2) and (3) of such subsection, the benefits shall include the following:

(A) Employment assistance.

(B) Continuing Reserve Component service.

(C) Disability benefits, including offsets in connection with the receipt of such benefits.

(D) Benefits and services provided under laws administered by the Secretary of Veterans Affairs.

(E) Such other benefits as the Secretary concerned considers appropriate.

(d) **BIENNIAL NOTICE TO MEMBERS OF THE ARMED FORCES ON THE VALUE OF PAY AND BENEFITS.**—

(1) **BIENNIAL NOTICE REQUIRED.**—The Secretary of each military department shall provide to each member of the Armed Forces under the jurisdiction of such Secretary on a biennial

basis notice on the value of the pay and benefits paid or provided to such member by law during the preceding year. The notice may be provided in writing or electronically, at the election of the Secretary.

(2) **ELEMENTS.**—Each notice provided a member under paragraph (1) shall include the following:

(A) A statement of the estimated value of the military health care, retirement benefits, disability benefits, commissary and exchange privileges, government-provided housing, tax benefits associated with service in the Armed Forces, and special pays paid or provided the member during the preceding 24 months.

(B) A notice regarding the death and survivor benefits, including Servicemembers' Group Life Insurance, to which the family of the member would be entitled in the event of the death of the member, and a description of any offsets that might be applicable to such benefits.

(C) Information on other programs available to members of the Armed Forces generally, such as access to morale, welfare, and recreation (MWR) facilities, child care, and education tuition assistance, and the estimated value, if ascertainable, of the availability of such programs in the area where the member is stationed or resides.

(e) **OTHER OUTREACH.**—

(1) **IN GENERAL.**—The Secretaries of the military departments shall, on a periodic basis, conduct outreach on the pay, benefits, and programs and services available to members of the Armed Forces by reason of service in the Armed Forces. The outreach shall be conducted pursuant to public service announcements, publications, and such other announcements through general media as will serve to disseminate the information broadly among the general public.

(2) **INTERNET OUTREACH WEBSITE.**—

(A) **IN GENERAL.**—The Secretary of Defense shall establish an Internet website for the purpose of providing the comprehensive information about the benefits and offsets described in subsection (c) to members of the Armed Forces and their families.

(B) **CONTACT INFORMATION.**—The Internet website required by subparagraph (A) shall provide contact information, both telephone and e-mail, that a member of the Armed Forces and a family member of the member can use to get personalized information about the benefits and offsets described in subsection (c).

(f) **REPORTS.**—

(1) **INITIAL REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of the requirements of this section by the Department of Defense. Such report shall include a description of the quality and scope of available online resources that provide information about benefits for members of the Armed Forces and their families.

(2) **RECORDS MAINTAINED.**—The Secretary of Defense or the military department concerned shall maintain records that contain the number of individuals that received a briefing under this section in the previous year disaggregated by the following:

(A) Whether the individual is a member of the Armed Forces or a family member of a member of the Armed Forces.

(B) The Armed Force of the members.

(C) The State or territory in which the briefing occurred.

(D) The subject of the briefing.

Subtitle H—Military Voting

SEC. 581. SHORT TITLE.

This subtitle may be cited as the "Military and Overseas Voter Empowerment Act".

SEC. 582. FINDINGS.

Congress makes the following findings:

(1) The right to vote is a fundamental right.

(2) Due to logistical, geographical, operational and environmental barriers, military and over-

seas voters are burdened by many obstacles that impact their right to vote and register to vote, the most critical of which include problems transmitting balloting materials and not being given enough time to vote.

(3) States play an essential role in facilitating the ability of military and overseas voters to register to vote and have their ballots cast and counted, especially with respect to timing and improvement of absentee voter registration and absentee ballot procedures.

(4) The Department of Defense educates military and overseas voters of their rights under the Uniformed and Overseas Citizens Absentee Voting Act and plays an indispensable role in facilitating the procedural channels that allow military and overseas voters to have their votes count.

(5) The local, State, and Federal Government entities involved with getting ballots to military and overseas voters must work in conjunction to provide voter registration services and balloting materials in a secure and expeditious manner.

SEC. 583. CLARIFICATION REGARDING DELEGATION OF STATE RESPONSIBILITIES.

A State may delegate its responsibilities in carrying out the requirements under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) imposed as a result of the provisions of and amendments made by this Act to jurisdictions of the State.

SEC. 584. ESTABLISHMENT OF PROCEDURES FOR ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS TO REQUEST AND FOR STATES TO SEND VOTER REGISTRATION APPLICATIONS AND ABSENTEE BALLOT APPLICATIONS BY MAIL AND ELECTRONICALLY.

(a) **IN GENERAL.**—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1) is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking "and" at the end;

(B) in paragraph (5), by striking the period at the end and inserting "and"; and

(C) by adding at the end the following new paragraph:

"(6) in addition to any other method of registering to vote or applying for an absentee ballot in the State, establish procedures—

"(A) for absent uniformed services voters and overseas voters to request by mail and electronically voter registration applications and absentee ballot applications with respect to general, special, primary, and runoff elections for Federal office in accordance with subsection (e);

"(B) for States to send by mail and electronically (in accordance with the preferred method of transmission designated by the absent uniformed services voter or overseas voter under subparagraph (C)) voter registration applications and absentee ballot applications requested under subparagraph (A) in accordance with subsection (e); and

"(C) by which the absent uniformed services voter or overseas voter can designate whether they prefer for such voter registration application or absentee ballot application to be transmitted by mail or electronically.";

(2) by adding at the end the following new subsection:

"(e) **DESIGNATION OF MEANS OF ELECTRONIC COMMUNICATION FOR ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS TO REQUEST AND FOR STATES TO SEND VOTER REGISTRATION APPLICATIONS AND ABSENTEE BALLOT APPLICATIONS, AND FOR OTHER PURPOSES RELATED TO VOTING INFORMATION.**—

"(1) **IN GENERAL.**—Each State shall, in addition to the designation of a single State office under subsection (b), designate not less than 1 means of electronic communication—

"(A) for use by absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State to request voter registration applications and ab-

sentee ballot applications under subsection (a)(6);

"(B) for use by States to send voter registration applications and absentee ballot applications requested under such subsection; and

"(C) for the purpose of providing related voting, balloting, and election information to absent uniformed services voters and overseas voters.

"(2) **CLARIFICATION REGARDING PROVISION OF MULTIPLE MEANS OF ELECTRONIC COMMUNICATION.**—A State may, in addition to the means of electronic communication so designated, provide multiple means of electronic communication to absent uniformed services voters and overseas voters, including a means of electronic communication for the appropriate jurisdiction of the State.

"(3) **INCLUSION OF DESIGNATED MEANS OF ELECTRONIC COMMUNICATION WITH INFORMATIONAL AND INSTRUCTIONAL MATERIALS THAT ACCOMPANY BALLOTING MATERIALS.**—Each State shall include a means of electronic communication so designated with all informational and instructional materials that accompany balloting materials sent by the State to absent uniformed services voters and overseas voters.

"(4) **AVAILABILITY AND MAINTENANCE OF ONLINE REPOSITORY OF STATE CONTACT INFORMATION.**—The Federal Voting Assistance Program of the Department of Defense shall maintain and make available to the public an online repository of State contact information with respect to elections for Federal office, including the single State office designated under subsection (b) and the means of electronic communication designated under paragraph (1), to be used by absent uniformed services voters and overseas voters as a resource to send voter registration applications and absentee ballot applications to the appropriate jurisdiction in the State.

"(5) **TRANSMISSION IF NO PREFERENCE INDICATED.**—In the case where an absent uniformed services voter or overseas voter does not designate a preference under subsection (a)(6)(C), the State shall transmit the voter registration application or absentee ballot application by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.

"(6) **SECURITY AND PRIVACY PROTECTIONS.**—

"(A) **SECURITY PROTECTIONS.**—To the extent practicable, States shall ensure that the procedures established under subsection (a)(6) protect the security and integrity of the voter registration and absentee ballot application request processes.

"(B) **PRIVACY PROTECTIONS.**—To the extent practicable, the procedures established under subsection (a)(6) shall ensure that the privacy of the identity and other personal data of an absent uniformed services voter or overseas voter who requests or is sent a voter registration application or absentee ballot application under such subsection is protected throughout the process of making such request or being sent such application."

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 585. ESTABLISHMENT OF PROCEDURES FOR STATES TO TRANSMIT BLANK ABSENTEE BALLOTS BY MAIL AND ELECTRONICALLY TO ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS.

(a) **IN GENERAL.**—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1), as amended by section 584, is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking "and" at the end;

(B) in paragraph (6), by striking the period at the end and inserting "and"; and

(C) by adding at the end the following new paragraph:

“(7) in addition to any other method of transmitting blank absentee ballots in the State, establish procedures for transmitting by mail and electronically blank absentee ballots to absent uniformed services voters and overseas voters with respect to general, special, primary, and runoff elections for Federal office in accordance with subsection (f).”; and

(2) by adding at the end the following new subsection:

“(f) TRANSMISSION OF BLANK ABSENTEE BALLOTS BY MAIL AND ELECTRONICALLY.—

“(1) IN GENERAL.—Each State shall establish procedures—

“(A) to transmit blank absentee ballots by mail and electronically (in accordance with the preferred method of transmission designated by the absent uniformed services voter or overseas voter under subparagraph (B)) to absent uniformed services voters and overseas voters for an election for Federal office; and

“(B) by which the absent uniformed services voter or overseas voter can designate whether they prefer for such blank absentee ballot to be transmitted by mail or electronically.

“(2) TRANSMISSION IF NO PREFERENCE INDICATED.—In the case where an absent uniformed services voter or overseas voter does not designate a preference under paragraph (1)(B), the State shall transmit the ballot by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.

“(3) SECURITY AND PRIVACY PROTECTIONS.—

“(A) SECURITY PROTECTIONS.—To the extent practicable, States shall ensure that the procedures established under subsection (a)(7) protect the security and integrity of absentee ballots.

“(B) PRIVACY PROTECTIONS.—To the extent practicable, the procedures established under subsection (a)(7) shall ensure that the privacy of the identity and other personal data of an absent uniformed services voter or overseas voter to whom a blank absentee ballot is transmitted under such subsection is protected throughout the process of such transmission.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 586. ENSURING ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS HAVE TIME TO VOTE.

(a) IN GENERAL.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(a)(1)), as amended by section 585, is amended—

(1) in subsection (a)—

(A) in paragraph (6), by striking “and” at the end;

(B) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraph:

“(8) transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter—

“(A) except as provided in subsection (g), in the case where the request is received at least 45 days before an election for Federal office, not later than 45 days before the election; and

“(B) in the case where the request is received less than 45 days before an election for Federal office—

“(i) in accordance with State law; and

“(ii) if practicable and as determined appropriate by the State, in a manner that expedites the transmission of such absentee ballot.”.

(2) by adding at the end the following new subsection:

“(g) HARDSHIP EXEMPTION.—

“(1) IN GENERAL.—If the chief State election official determines that the State is unable to meet the requirement under subsection (a)(8)(A) with respect to an election for Federal office due

to an undue hardship described in paragraph (2)(B), the chief State election official shall request that the Presidential designee grant a waiver to the State of the application of such subsection. Such request shall include—

“(A) a recognition that the purpose of such subsection is to allow absent uniformed services voters and overseas voters enough time to vote in an election for Federal office;

“(B) an explanation of the hardship that indicates why the State is unable to transmit absent uniformed services voters and overseas voters an absentee ballot in accordance with such subsection;

“(C) the number of days prior to the election for Federal office that the State requires absentee ballots be transmitted to absent uniformed services voters and overseas voters; and

“(D) a comprehensive plan to ensure that absent uniformed services voters and overseas voters are able to receive absentee ballots which they have requested and submit marked absentee ballots to the appropriate State election official in time to have that ballot counted in the election for Federal office, which includes—

“(i) the steps the State will undertake to ensure that absent uniformed services voters and overseas voters have time to receive, mark, and submit their ballots in time to have those ballots counted in the election;

“(ii) why the plan provides absent uniformed services voters and overseas voters sufficient time to vote as a substitute for the requirements under such subsection; and

“(iii) the underlying factual information which explains how the plan provides such sufficient time to vote as a substitute for such requirements.

“(2) APPROVAL OF WAIVER REQUEST.—After consulting with the Attorney General, the Presidential designee shall approve a waiver request under paragraph (1) if the Presidential designee determines each of the following requirements are met:

“(A) The comprehensive plan under subparagraph (D) of such paragraph provides absent uniformed services voters and overseas voters sufficient time to receive absentee ballots they have requested and submit marked absentee ballots to the appropriate State election official in time to have that ballot counted in the election for Federal office.

“(B) One or more of the following issues creates an undue hardship for the State:

“(i) The State’s primary election date prohibits the State from complying with subsection (a)(8)(A).

“(ii) The State has suffered a delay in generating ballots due to a legal contest.

“(iii) The State Constitution prohibits the State from complying with such subsection.

“(3) TIMING OF WAIVER.—

“(A) IN GENERAL.—Except as provided under subparagraph (B), a State that requests a waiver under paragraph (1) shall submit to the Presidential designee the written waiver request not later than 90 days before the election for Federal office with respect to which the request is submitted. The Presidential designee shall approve or deny the waiver request not later than 65 days before such election.

“(B) EXCEPTION.—If a State requests a waiver under paragraph (1) as the result of an undue hardship described in paragraph (2)(B)(ii), the State shall submit to the Presidential designee the written waiver request as soon as practicable. The Presidential designee shall approve or deny the waiver request not later than 5 business days after the date on which the request is received.

“(4) APPLICATION OF WAIVER.—A waiver approved under paragraph (2) shall only apply with respect to the election for Federal office for which the request was submitted. For each subsequent election for Federal office, the Presidential designee shall only approve a waiver if the State has submitted a request under paragraph (1) with respect to such election.”.

(b) RUNOFF ELECTIONS.—Section 102(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(a)), as amended by subsection (a), is amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(9) if the State declares or otherwise holds a runoff election for Federal office, establish a written plan that provides absentee ballots are made available to absent uniformed services voters and overseas voters in manner that gives them sufficient time to vote in the runoff election.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 587. PROCEDURES FOR COLLECTION AND DELIVERY OF MARKED ABSENTEE BALLOTS OF ABSENT OVERSEAS UNIFORMED SERVICES VOTERS.

(a) IN GENERAL.—The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) is amended by inserting after section 103 the following new section:

“SEC. 103A. PROCEDURES FOR COLLECTION AND DELIVERY OF MARKED ABSENTEE BALLOTS OF ABSENT OVERSEAS UNIFORMED SERVICES VOTERS.

“(a) ESTABLISHMENT OF PROCEDURES.—The Presidential designee shall establish procedures for collecting marked absentee ballots of absent overseas uniformed services voters in regularly scheduled general elections for Federal office, including absentee ballots prepared by States and the Federal write-in absentee ballot prescribed under section 103, and for delivering such marked absentee ballots to the appropriate election officials.

“(b) DELIVERY TO APPROPRIATE ELECTION OFFICIALS.—

“(1) IN GENERAL.—Under the procedures established under this section, the Presidential designee shall implement procedures that facilitate the delivery of marked absentee ballots of absent overseas uniformed services voters for regularly scheduled general elections for Federal office to the appropriate election officials, in accordance with this section, not later than the date by which an absentee ballot must be received in order to be counted in the election.

“(2) COOPERATION AND COORDINATION WITH THE UNITED STATES POSTAL SERVICE.—The Presidential designee shall carry out this section in cooperation and coordination with the United States Postal Service, and shall provide expedited mail delivery service for all such marked absentee ballots of absent uniformed services voters that are collected on or before the deadline described in paragraph (3) and then transferred to the United States Postal Service.

“(3) DEADLINE DESCRIBED.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the deadline described in this paragraph is noon (in the location in which the ballot is collected) on the seventh day preceding the date of the regularly scheduled general election for Federal office.

“(B) AUTHORITY TO ESTABLISH ALTERNATIVE DEADLINE FOR CERTAIN LOCATIONS.—If the Presidential designee determines that the deadline described in subparagraph (A) is not sufficient to ensure timely delivery of the ballot under paragraph (1) with respect to a particular location because of remoteness or other factors, the Presidential designee may establish as an alternative deadline for that location the latest date occurring prior to the deadline described in subparagraph (A) which is sufficient to provide timely delivery of the ballot under paragraph (1).

“(4) NO POSTAGE REQUIREMENT.—In accordance with section 3406 of title 39, United States

Code, such marked absentee ballots and other balloting materials shall be carried free of postage.

“(5) DATE OF MAILING.—Such marked absentee ballots shall be postmarked with a record of the date on which the ballot is mailed.

“(c) OUTREACH FOR ABSENT OVERSEAS UNIFORMED SERVICES VOTERS ON PROCEDURES.—The Presidential designee shall take appropriate actions to inform individuals who are anticipated to be absent overseas uniformed services voters in a regularly scheduled general election for Federal office to which this section applies of the procedures for the collection and delivery of marked absentee ballots established pursuant to this section, including the manner in which such voters may utilize such procedures for the submittal of marked absentee ballots pursuant to this section.

“(d) ABSENT OVERSEAS UNIFORMED SERVICES VOTER DEFINED.—In this section, the term ‘absent overseas uniformed services voter’ means an overseas voter described in section 107(5)(A).

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Presidential designee such sums as may be necessary to carry out this section.”

(b) CONFORMING AMENDMENT.—Section 101(b) of such Act (42 U.S.C. 1973ff(b)) is amended—

(1) by striking “and” at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(8) carry out section 103A with respect to the collection and delivery of marked absentee ballots of absent overseas uniformed services voters in elections for Federal office.”

(c) STATE RESPONSIBILITIES.—Section 102(a) of such Act (42 U.S.C. 1973ff-1(a)), as amended by section 586, is amended—

(1) in paragraph (8), by striking “and” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; and”; and

(3) by adding the following new paragraph:

“(10) carry out section 103A(b)(1) with respect to the processing and acceptance of marked absentee ballots of absent overseas uniformed services voters.”

(d) TRACKING MARKED BALLOTS.—Section 102 of such Act (42 U.S.C. 1973ff-1(a)), as amended by section 586, is amended by adding at the end the following new subsection:

“(h) TRACKING MARKED BALLOTS.—The chief State election official, in coordination with local election jurisdictions, shall develop a free access system by which an absent uniformed services voter or overseas voter may determine whether the absentee ballot of the absent uniformed services voter or overseas voter has been received by the appropriate State election official.”

(e) PROTECTING VOTER PRIVACY AND SECRECY OF ABSENTEE BALLOTS.—Section 101(b) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(b)), as amended by subsection (b), is amended—

(1) by striking “and” at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(9) to the greatest extent practicable, take such actions as may be necessary—

“(A) to ensure that absent uniformed services voters who cast absentee ballots at locations or facilities under the jurisdiction of the Presidential designee are able to do so in a private and independent manner; and

“(B) to protect the privacy of the contents of absentee ballots cast by absentee uniformed services voters and overseas voters while such ballots are in the possession or control of the Presidential designee.”

(f) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the

regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 588. FEDERAL WRITE-IN ABSENTEE BALLOT.

(a) USE IN GENERAL, SPECIAL, PRIMARY, AND RUNOFF ELECTIONS FOR FEDERAL OFFICE.—

(1) IN GENERAL.—Section 103 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-2) is amended—

(A) in subsection (a), by striking “general elections for Federal office” and inserting “general, special, primary, and runoff elections for Federal office”; and

(B) in subsection (e), in the matter preceding paragraph (1), by striking “a general election” and inserting “a general, special, primary, or runoff election for Federal office”; and

(C) in subsection (f), by striking “the general election” each place it appears and inserting “the general, special, primary, or runoff election for Federal office”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on December 31, 2010, and apply with respect to elections for Federal office held on or after such date.

(b) PROMOTION AND EXPANSION OF USE.—Section 103(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-2) is amended—

(1) by striking “GENERAL.—The Presidential” and inserting “GENERAL.—

“(1) FEDERAL WRITE-IN ABSENTEE BALLOT.—The Presidential”; and

(2) by adding at the end the following new paragraph:

“(2) PROMOTION AND EXPANSION OF USE OF FEDERAL WRITE-IN ABSENTEE BALLOTS.—

“(A) IN GENERAL.—Not later than December 31, 2011, the Presidential designee shall adopt procedures to promote and expand the use of the Federal write-in absentee ballot as a back-up measure to vote in elections for Federal office.

“(B) USE OF TECHNOLOGY.—Under such procedures, the Presidential designee shall utilize technology to implement a system under which the absent uniformed services voter or overseas voter may—

“(i) enter the address of the voter or other information relevant in the appropriate jurisdiction of the State, and the system will generate a list of all candidates in the election for Federal office in that jurisdiction; and

“(ii) submit the marked Federal write-in absentee ballot by printing the ballot (including complete instructions for submitting the marked Federal write-in absentee ballot to the appropriate State election official and the mailing address of the single State office designated under section 102(b)).

“(C) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Presidential designee such sums as may be necessary to carry out this paragraph.”

SEC. 589. PROHIBITING REFUSAL TO ACCEPT VOTER REGISTRATION AND ABSENTEE BALLOT APPLICATIONS, MARKED ABSENTEE BALLOTS, AND FEDERAL WRITE-IN ABSENTEE BALLOTS FOR FAILURE TO MEET CERTAIN REQUIREMENTS.

(a) VOTER REGISTRATION AND ABSENTEE BALLOT APPLICATIONS.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1), as amended by section 587, is amended by adding at the end the following new subsection:

“(i) PROHIBITING REFUSAL TO ACCEPT APPLICATIONS FOR FAILURE TO MEET CERTAIN REQUIREMENTS.—A State shall not refuse to accept and process any otherwise valid voter registration application or absentee ballot application (including the official post card form prescribed under section 101) or marked absentee ballot submitted in any manner by an absent uniformed services voter or overseas voter solely on the basis of the following:

“(1) Notarization requirements.

“(2) Restrictions on paper type, including weight and size.

“(3) Restrictions on envelope type, including weight and size.”

(b) FEDERAL WRITE-IN ABSENTEE BALLOT.—Section 103 of such Act (42 U.S.C. 1973ff-2) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

“(f) PROHIBITING REFUSAL TO ACCEPT BALLOT FOR FAILURE TO MEET CERTAIN REQUIREMENTS.—A State shall not refuse to accept and process any otherwise valid Federal write-in absentee ballot submitted in any manner by an absent uniformed services voter or overseas voter solely on the basis of the following:

“(1) Notarization requirements.

“(2) Restrictions on paper type, including weight and size.

“(3) Restrictions on envelope type, including weight and size.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 590. FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.

(a) FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.—

(1) IN GENERAL.—The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.), as amended by section 587, is amended by inserting after section 103A the following new section:

“SEC. 103B. FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.

“(a) DUTIES.—The Presidential designee shall carry out the following duties:

“(1) Develop online portals of information to inform absent uniformed services voters regarding voter registration procedures and absentee ballot procedures to be used by such voters with respect to elections for Federal office.

“(2) Establish a program to notify absent uniformed services voters of voter registration information and resources, the availability of the Federal postcard application, and the availability of the Federal write-in absentee ballot on the military Global Network, and shall use the military Global Network to notify absent uniformed services voters of the foregoing 90, 60, and 30 days prior to each election for Federal office.

“(b) CLARIFICATION REGARDING OTHER DUTIES AND OBLIGATIONS.—Nothing in this section shall relieve the Presidential designee of their duties and obligations under any directives or regulations issued by the Department of Defense, including the Department of Defense Directive 1000.04 (or any successor directive or regulation) that is not inconsistent or contradictory to the provisions of this section.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Federal Voting Assistance Program of the Department of Defense (or a successor program) such sums as are necessary for purposes of carrying out this section.”

(2) CONFORMING AMENDMENTS.—Section 101 of such Act (42 U.S.C. 1973ff), as amended by section 587, is amended—

(A) in subparagraph (b)—

(i) by striking “and” at the end of paragraph (8);

(ii) by striking the period at the end of paragraph (9) and inserting “; and”; and

(iii) by adding at the end the following new paragraph:

“(10) carry out section 103B with respect to Federal Voting Assistance Program Improvements.”; and

(B) by adding at the end the following new subsection:

“(d) AUTHORIZATION OF APPROPRIATIONS FOR CARRYING OUT FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.—There are authorized to be appropriated to the Presidential designee such sums as are necessary for purposes of carrying out subsection (b)(10).”

(b) **VOTER REGISTRATION ASSISTANCE FOR ABSENT UNIFORMED SERVICES VOTERS.**—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1), as amended by section 589, is amended by adding at the end the following new subsection:

“(j) **VOTER REGISTRATION ASSISTANCE FOR ABSENT UNIFORMED SERVICES VOTERS.**—

“(1) **DESIGNATING AN OFFICE AS A VOTER REGISTRATION AGENCY ON EACH INSTALLATION OF THE ARMED FORCES.**—Not later than 180 days after the date of enactment of this subsection, each Secretary of a military department shall take appropriate actions to designate an office on each installation of the Armed Forces under the jurisdiction of such Secretary (excluding any installation in a theater of combat), consistent across every installation of the department of the Secretary concerned, to provide each individual described in paragraph (3)—

“(A) written information on voter registration procedures and absentee ballot procedures (including the official post card form prescribed under section 101);

“(B) the opportunity to register to vote in an election for Federal office;

“(C) the opportunity to update the individual's voter registration information, including clear written notice and instructions for the absent uniformed services voter to change their address by submitting the official post card form prescribed under section 101 to the appropriate State election official; and

“(D) the opportunity to request an absentee ballot under this Act.

“(2) **DEVELOPMENT OF PROCEDURES.**—Each Secretary of a military department shall develop, in consultation with each State and the Presidential designee, the procedures necessary to provide the assistance described in paragraph (1).

“(3) **INDIVIDUALS DESCRIBED.**—The following individuals are described in this paragraph:

“(A) An absent uniformed services voter—

“(i) who is undergoing a permanent change of duty station;

“(ii) who is deploying overseas for at least 6 months;

“(iii) who is or returning from an overseas deployment of at least 6 months; or

“(iv) who at any time requests assistance related to voter registration.

“(B) All other absent uniformed services voters (as defined in section 107(1)).

“(4) **TIMING OF PROVISION OF ASSISTANCE.**—The assistance described in paragraph (1) shall be provided to an absent uniformed services voter—

“(A) described in clause (i) of paragraph (3)(A), as part of the administrative in-processing of the member upon arrival at the new duty station of the absent uniformed services voter;

“(B) described in clause (ii) of such paragraph, as part of the administrative in-processing of the member upon deployment from the home duty station of the absent uniformed services voter;

“(C) described in clause (iii) of such paragraph, as part of the administrative in-processing of the member upon return to the home duty station of the absent uniformed services voter;

“(D) described in clause (iv) of such paragraph, at any time the absent uniformed services voter requests such assistance; and

“(E) described in paragraph (3)(B), at any time the absent uniformed services voter requests such assistance.

“(5) **PAY, PERSONNEL, AND IDENTIFICATION OFFICES OF THE DEPARTMENT OF DEFENSE.**—The Secretary of Defense may designate pay, personnel, and identification offices of the Department of Defense for persons to apply to register to vote, update the individual's voter registration information, and request an absentee ballot under this Act.

“(6) **TREATMENT OF OFFICES DESIGNATED AS VOTER REGISTRATION AGENCIES.**—An office des-

ignated under paragraph (1) or (5) shall be considered to be a voter registration agency designated under section 7(a)(2) of the National Voter Registration Act of 1993 for all purposes of such Act.

“(7) **OUTREACH TO ABSENT UNIFORMED SERVICES VOTERS.**—The Secretary of each military department or the Presidential designee shall take appropriate actions to inform absent uniformed services voters of the assistance available under this subsection including—

“(A) the availability of voter registration assistance at offices designated under paragraphs (1) and (5); and

“(B) the time, location, and manner in which an absent uniformed voter may utilize such assistance.

“(8) **DEFINITION OF MILITARY DEPARTMENT AND SECRETARY CONCERNED.**—In this subsection, the terms ‘military department’ and ‘Secretary concerned’ have the meaning given such terms in paragraphs (8) and (9), respectively, of section 101 of title 10, United States Code.

“(9) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this subsection.”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 591. DEVELOPMENT OF STANDARDS FOR REPORTING AND STORING CERTAIN DATA.

(a) **IN GENERAL.**—Section 101(b) of such Act (42 U.S.C. 1973ff(b)), as amended by section 590, is amended—

(1) by striking “and” at the end of paragraph (9);

(2) by striking the period at the end of paragraph (10) and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(11) working with the Election Assistance Commission and the chief State election official of each State, develop standards—

“(A) for States to report data on the number of absentee ballots transmitted and received under section 102(c) and such other data as the Presidential designee determines appropriate; and

“(B) for the Presidential designee to store the data reported.”

(b) **CONFORMING AMENDMENT.**—Section 102(a) of such Act (42 U.S.C. 1973ff–1(a)), as amended by section 587, is amended—

(1) in paragraph (9), by striking “and” at the end;

(2) in paragraph (10), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(11) report data on the number of absentee ballots transmitted and received under section 102(c) and such other data as the Presidential designee determines appropriate in accordance with the standards developed by the Presidential designee under section 101(b)(11).”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 592. REPEAL OF PROVISIONS RELATING TO USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS.

(a) **IN GENERAL.**—Subsections (a) through (d) of section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–3) are repealed.

(b) **CONFORMING AMENDMENTS.**—The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) is amended—

(1) in section 101(b)—

(A) in paragraph (2), by striking “, for use by States in accordance with section 104”; and

(B) in paragraph (4), by striking “for use by States in accordance with section 104”; and

(2) in section 104, as amended by subsection (a)—

(A) in the section heading, by striking “**USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS**” and inserting “**PROHIBITION OF REFUSAL OF APPLICATIONS ON GROUNDS OF EARLY SUBMISSION**”; and

(B) in subsection (e), by striking “(e) **PROHIBITION OF REFUSAL OF APPLICATIONS ON GROUNDS OF EARLY SUBMISSION.**—”.

SEC. 593. REPORTING REQUIREMENTS.

The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) is amended by inserting after section 105 the following new section:

“SEC. 105A. REPORTING REQUIREMENTS.

“(a) **REPORT ON STATUS OF IMPLEMENTATION AND ASSESSMENT OF PROGRAMS.**—Not later than 180 days after the date of the enactment of the Military and Overseas Voter Empowerment Act, the Presidential designee shall submit to the relevant committees of Congress a report containing the following information:

“(1) The status of the implementation of the procedures established for the collection and delivery of marked absentee ballots of absent overseas uniformed services voters under section 103A, and a detailed description of the specific steps taken towards such implementation for the regularly scheduled general election for Federal office held in November 2010.

“(2) An assessment of the effectiveness of the Voting Assistance Officer Program of the Department of Defense, which shall include the following:

“(A) A thorough and complete assessment of whether the Program, as configured and implemented as of such date of enactment, is effectively assisting absent uniformed services voters in exercising their right to vote.

“(B) An inventory and explanation of any areas of voter assistance in which the Program has failed to accomplish its stated objectives and effectively assist absent uniformed services voters in exercising their right to vote.

“(C) As necessary, a detailed plan for the implementation of any new program to replace or supplement voter assistance activities required to be performed under this Act.

“(3) A detailed description of the specific steps taken towards the implementation of voter registration assistance for absent uniformed services voters under section 102(j), including the designation of offices under paragraphs (1) and (5) of such section.

“(b) **ANNUAL REPORT ON EFFECTIVENESS OF ACTIVITIES AND UTILIZATION OF CERTAIN PROCEDURES.**—Not later than March 31 of each year, the Presidential designee shall transmit to the President and to the relevant committees of Congress a report containing the following information:

“(1) An assessment of the effectiveness of activities carried out under section 103B, including the activities and actions of the Federal Voting Assistance Program of the Department of Defense, a separate assessment of voter registration and participation by absent uniformed services voters, a separate assessment of voter registration and participation by overseas voters who are not members of the uniformed services, and a description of the cooperation between States and the Federal Government in carrying out such section.

“(2) A description of the utilization of voter registration assistance under section 102(j), which shall include the following:

“(A) A description of the specific programs implemented by each military department of the Armed Forces pursuant to such section.

“(B) The number of absent uniformed services voters who utilized voter registration assistance provided under such section.

“(3) In the case of a report submitted under this subsection in the year following a year in which a regularly scheduled general election for

Federal office is held, a description of the utilization of the procedures for the collection and delivery of marked absentee ballots established pursuant to section 103A, which shall include the number of marked absentee ballots collected and delivered under such procedures and the number of such ballots which were not delivered by the time of the closing of the polls on the date of the election (and the reasons such ballots were not so delivered).

“(c) DEFINITIONS.—In this section:

“(1) ABSENT OVERSEAS UNIFORMED SERVICES VOTER.—The term ‘absent overseas uniformed services voter’ has the meaning given such term in section 103A(d).

“(2) PRESIDENTIAL DESIGNEE.—The term ‘Presidential designee’ means the Presidential designee under section 101(a).

“(3) RELEVANT COMMITTEES OF CONGRESS DEFINED.—The term ‘relevant committees of Congress’ means—

“(A) the Committees on Appropriations, Armed Services, and Rules and Administration of the Senate; and

“(B) the Committees on Appropriations, Armed Services, and House Administration of the House of Representatives.”.

SEC. 594. ANNUAL REPORT ON ENFORCEMENT.

Section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973f–4) is amended—

(1) by striking “The Attorney” and inserting “(a) IN GENERAL.—The Attorney”; and

(2) by adding at the end the following new subsection:

“(b) REPORT TO CONGRESS.—Not later than December 31 of each year, the Attorney General shall submit to Congress an annual report on any civil action brought under subsection (a) during the preceding year.”.

SEC. 595. REQUIREMENTS PAYMENTS.

(a) USE OF FUNDS.—Section 251(b) of the Help America Vote Act of 2002 (42 U.S.C. 15401(b)) is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(2) by adding at the end the following new paragraph:

“(3) ACTIVITIES UNDER UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.—A State shall use a requirements payment made using funds appropriated pursuant to the authorization under section 257(4) only to meet the requirements under the Uniformed and Overseas Citizens Absentee Voting Act imposed as a result of the provisions of and amendments made by the Military and Overseas Voter Empowerment Act.”.

(b) REQUIREMENTS.—

(1) STATE PLAN.—Section 254(a) of the Help America Vote Act of 2002 (42 U.S.C. 15404(a)) is amended by adding at the end the following new paragraph:

“(14) How the State plan will comply with the provisions and requirements of and amendments made by the Military and Overseas Voter Empowerment Act.”.

(2) CONFORMING AMENDMENTS.—Section 253(b) of the Help America Vote Act of 2002 (42 U.S.C. 15403(b)) is amended—

(A) in paragraph (1)(A), by striking “section 254” and inserting “subsection (a) of section 254 (or, in the case where a State is seeking a requirements payment made using funds appropriated pursuant to the authorization under section 257(4), paragraph (14) of section 254)”; and

(B) in paragraph (2)—

(i) by striking “(2) The State” and inserting “(2)(A) Subject to subparagraph (B), the State”; and

(ii) by inserting after subparagraph (A), as added by clause (i), the following new subparagraph:

“(B) The requirement under subparagraph (A) shall not apply in the case of a requirements

payment made using funds appropriated pursuant to the authorization under section 257(4).”.

(c) AUTHORIZATION.—Section 257(a) of the Help America Vote Act of 2002 (42 U.S.C. 15407(a)) is amended by adding at the end the following new paragraph:

“(4) For fiscal year 2010 and subsequent fiscal years, such sums as are necessary for purposes of making requirements payments to States to carry out the activities described in section 251(b)(3).”.

SEC. 596. TECHNOLOGY PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ABSENT UNIFORMED SERVICES VOTER.—The term “absent uniformed services voter” has the meaning given such term in section 107(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).

(2) OVERSEAS VOTER.—The term “overseas voter” has the meaning given such term in section 107(5) of such Act.

(3) PRESIDENTIAL DESIGNEE.—The term “Presidential designee” means the individual designated under section 101(a) of such Act.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Presidential designee may establish 1 or more pilot programs under which the feasibility of new election technology is tested for the benefit of absent uniformed services voters and overseas voters claiming rights under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).

(2) DESIGN AND CONDUCT.—The design and conduct of a pilot program established under this subsection—

(A) shall be at the discretion of the Presidential designee; and

(B) shall not conflict with or substitute for existing laws, regulations, or procedures with respect to the participation of absent uniformed services voters and military voters in elections for Federal office.

(c) CONSIDERATIONS.—In conducting a pilot program established under subsection (b), the Presidential designee may consider the following issues:

(1) The transmission of electronic voting material across military networks.

(2) Virtual private networks, cryptographic voting systems, centrally controlled voting stations, and other information security techniques.

(3) The transmission of ballot representations and scanned pictures in a secure manner.

(4) Capturing, retaining, and comparing electronic and physical ballot representations.

(5) Utilization of voting stations at military bases.

(6) Document delivery and upload systems.

(7) The functional effectiveness of the application or adoption of the pilot program to operational environments, taking into account environmental and logistical obstacles and State procedures.

(d) REPORTS.—The Presidential designee shall submit to Congress reports on the progress and outcomes of any pilot program conducted under this subsection, together with recommendations—

(1) for the conduct of additional pilot programs under this section; and

(2) for such legislation and administrative action as the Presidential designee determines appropriate.

(e) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Election Assistance Commission and the National Institute of Standards and Technology shall work with the Presidential designee to support the pilot program or programs established under this section through best practices or standards and in accordance with electronic absentee voting guidelines established under the first sentence of section 1604(a)(2) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1277; 42 U.S.C. 1977ff note), as amend-

ed by section 567 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1919).

(2) REPORT.—In the case where the Election Assistance Commission has not established electronic absentee voting guidelines under such section 1604(a)(2), as so amended, by not later than 180 days after enactment of this Act, the Election Assistance Commission shall submit to the relevant committees of Congress a report containing the following information:

(A) The reasons such guidelines have not been established as of such date.

(B) A detailed timeline for the establishment of such guidelines.

(C) A detailed explanation of the Commission's actions in establishing such guidelines since the date of enactment of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1919).

(3) RELEVANT COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “relevant committees of Congress” means—

(A) the Committees on Appropriations, Armed Services, and Rules and Administration of the Senate; and

(B) the Committees on Appropriations, Armed Services, and House Administration of the House of Representatives.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. FISCAL YEAR 2010 INCREASE IN MILITARY BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2010 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2010, the rates of monthly basic pay for members of the uniformed services are increased by 3.4 percent.

SEC. 602. COMPTROLLER GENERAL OF THE UNITED STATES COMPARATIVE ASSESSMENT OF MILITARY AND PRIVATE-SECTOR PAY AND BENEFITS.

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study comparing pay and benefits provided by law to members of the Armed Forces with pay and benefits provided by the private sector to comparably situated private-sector employees.

(b) ELEMENTS.—The study required by subsection (a) shall include, but not be limited to, the following:

(1) An assessment of total military compensation for officers and for enlisted personnel, including basic pay, the basic allowance for housing (BAH), the basic allowance for subsistence (BAS), tax benefits applicable to military pay and allowances under Federal law (including the Social Security laws) and State law, military retirement benefits, commissary and exchange privileges, and military healthcare benefits.

(2) An assessment of private-sector pay and benefits for civilians of similar age, education, and experience in like fields of officers and enlisted personnel of the Armed Forces, including pay, bonuses, employee options, fringe benefits, retirement benefits, individual retirement investment benefits, flexible spending accounts and health savings accounts, and any other elements of private-sector compensation that the Comptroller General considers appropriate.

(3) An identification of the percentile of comparable private-sector compensation at which members of the Armed Forces are paid, including an assessment of the adequacy of percentile comparisons generally and whether the Department of Defense goal of compensating members of the Armed Forces at the 80th percentile of

comparable private-sector compensation, as described in the 10th Quadrennial Review of Military Compensation, is appropriate and adequate to achieve comparability of pay between members of the Armed Forces and private-sector employees.

(c) **REPORT.**—The Comptroller General shall submit to the congressional defense committees a report on the study required by subsection (a) by not later than April 1, 2010.

SEC. 603. INCREASE IN MAXIMUM MONTHLY AMOUNT OF SUPPLEMENTAL SUBSISTENCE ALLOWANCE FOR LOW-INCOME MEMBERS WITH DEPENDENTS.

(a) **INCREASE IN MAXIMUM MONTHLY AMOUNT.**—Section 402a(a) of title 37, United States Code, is amended—

(1) in paragraph (2), by striking “\$500” and inserting “\$1,100”; and

(2) in paragraph (3)(B), by striking “\$500” and inserting “\$1,100”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on October 1, 2009, and shall apply with respect to monthly supplemental subsistence allowances for low-income members with dependents payable on or after that date.

(c) **REPORT ON ELIMINATION OF RELIANCE ON SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM TO MEET NUTRITIONAL NEEDS OF MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.**—

(1) **IN GENERAL.**—Not later than September 1, 2010, the Secretary of Defense shall, in consultation with the Secretary of Agriculture, submit to the congressional defense committees a report setting forth a plan for actions to eliminate the need for members of the Armed Forces and their dependents to rely on the supplemental nutrition assistance program under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) for their monthly nutritional needs.

(2) **ELEMENTS.**—The plan required by paragraph (1) shall address the following:

(A) An appropriate amount or amounts for the monthly supplemental subsistence allowance for low-income members with dependents payable under section 402a of title 37, United States Code.

(B) Such modifications, if any, to the eligibility requirements for the monthly supplemental subsistence allowance, including limitations on the maximum size of the household of a member for purposes of eligibility for the allowance, as the Secretary of Defense considers appropriate.

(C) The advisability of requiring members of the Armed Forces to apply for the monthly supplemental subsistence allowance before seeking assistance under the supplemental nutrition assistance program.

(D) Such other matters as the Secretary of Defense considers appropriate.

SEC. 604. BENEFITS UNDER POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE PROGRAM FOR CERTAIN PERIODS BEFORE IMPLEMENTATION OF PROGRAM.

(a) **IN GENERAL.**—Under regulations prescribed by the Secretary of Defense, the Secretary concerned may provide any member or former member of the Armed Forces with the benefits specified in subsection (b) if the member or former member would, on any day during the period beginning on January 19, 2007, and ending on the date of the implementation of the Post-Deployment/Mobilization Respite Absence (PDMRA) program by the Secretary concerned, have qualified for a day of administrative absence under the Post-Deployment/Mobilization Respite Absence program had the program been in effect during such period.

(b) **BENEFITS.**—The benefits specified in this subsection are the following:

(1) In the case of an individual who is a former member of the Armed Forces at the time of the provision of benefits under this section, payment of an amount not to exceed \$200 for each day the individual would have qualified

for a day of administrative absence as described in subsection (a) during the period specified in that subsection.

(2) In the case of an individual who is a member of the Armed Forces at the time of the provision of benefits under this section, either one day of administrative absence or payment of an amount not to exceed \$200, as selected by the Secretary concerned, for each day the individual would have qualified for a day of administrative absence as described in subsection (a) during the period specified in that subsection.

(c) **EXCLUSION OF CERTAIN FORMER MEMBERS.**—A former member of the Armed Forces is not eligible under this section for the benefits specified in subsection (b)(1) if the former member was discharged or released from the Armed Forces under other than honorable conditions.

(d) **MAXIMUM NUMBER OF DAYS OF BENEFITS PROVIDABLE.**—The number of days of benefits providable to a member or former member of the Armed Forces under this section may not exceed 40 days of benefits.

(e) **FORM OF PAYMENT.**—The paid benefits providable under subsection (b) may be paid in a lump sum or installments, at the election of the Secretary concerned.

(f) **CONSTRUCTION WITH OTHER PAY AND LEAVE.**—The benefits provided a member or former member of the Armed Forces under this section are in addition to any other pay, absence, or leave provided by law.

(g) **DEFINITIONS.**—In this section:

(1) The term “Post-Deployment/Mobilization Respite Absence program” means the program of a military department to provide days of administrative absence not chargeable against available leave to certain deployed or mobilized members of the Armed Forces in order to assist such members in reintegrating into civilian life after deployment or mobilization.

(2) The term “Secretary concerned” has the meaning given that term in section 101(5) of title 37, United States Code.

(h) **TERMINATION.**—

(1) **IN GENERAL.**—The authority to provide benefits under this section shall expire on the date that is one year after the date of the enactment of this Act.

(2) **CONSTRUCTION.**—Expiration under this subsection of the authority to provide benefits under this section shall not affect the utilization of any day of administrative absence provided a member of the Armed Forces under subsection (b)(2), or the payment of any payment authorized a member or former member of the Armed Forces under subsection (b), before the expiration of the authority in this section.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

(a) **SELECTED RESERVE REENLISTMENT BONUS.**—Section 308b(g) of title 37, United States Code, is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(b) **SELECTED RESERVE AFFILIATION OR ENLISTMENT BONUS.**—Section 308c(i) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(c) **SPECIAL PAY FOR ENLISTED MEMBERS ASSIGNED TO CERTAIN HIGH PRIORITY UNITS.**—Section 308d(c) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(d) **READY RESERVE ENLISTMENT BONUS FOR PERSONS WITHOUT PRIOR SERVICE.**—Section 308g(f)(2) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(e) **READY RESERVE ENLISTMENT AND REENLISTMENT BONUS FOR PERSONS WITH PRIOR SERVICE.**—Section 308h(e) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(f) **SELECTED RESERVE ENLISTMENT BONUS FOR PERSONS WITH PRIOR SERVICE.**—Section 308i(f)

of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(g) **INCOME REPLACEMENT PAYMENTS.**—Section 910(g) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

SEC. 612. EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) **NURSE OFFICER CANDIDATE ACCESSION PROGRAM.**—Section 2130a(a)(1) of title 10, United States Code, is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(b) **REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.**—Section 16302(d) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(c) **ACCESSION AND RETENTION BONUSES FOR PSYCHOLOGISTS.**—Section 302c-1(f) of title 37, United States Code, is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(d) **ACCESSION BONUS FOR REGISTERED NURSES.**—Section 302d(a)(1) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(e) **INCENTIVE SPECIAL PAY FOR NURSE ANESTHETISTS.**—Section 302e(a)(1) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(f) **SPECIAL PAY FOR SELECTED RESERVE HEALTH PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES.**—Section 302g(e) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(g) **ACCESSION BONUS FOR DENTAL OFFICERS.**—Section 302h(a)(1) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(h) **ACCESSION BONUS FOR PHARMACY OFFICERS.**—Section 302j(a) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(i) **ACCESSION BONUS FOR MEDICAL OFFICERS IN CRITICALLY SHORT WARTIME SPECIALTIES.**—Section 302k(f) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(j) **ACCESSION BONUS FOR DENTAL SPECIALIST OFFICERS IN CRITICALLY SHORT WARTIME SPECIALTIES.**—Section 302l(g) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

SEC. 613. EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

(a) **SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.**—Section 312(f) of title 37, United States Code, is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(b) **NUCLEAR CAREER ACCESSION BONUS.**—Section 312b(c) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(c) **NUCLEAR CAREER ANNUAL INCENTIVE BONUS.**—Section 312c(d) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

SEC. 614. EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

(a) **GENERAL BONUS AUTHORITY FOR ENLISTED MEMBERS.**—Section 331(h) of title 37, United States Code, is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(b) **GENERAL BONUS AUTHORITY FOR OFFICERS.**—Section 332(g) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(c) **SPECIAL BONUS AND INCENTIVE PAY AUTHORITIES FOR NUCLEAR OFFICERS.**—Section 333(i) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(d) **SPECIAL AVIATION INCENTIVE PAY AND BONUS AUTHORITIES.**—Section 334(i) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(e) **SPECIAL HEALTH PROFESSIONS INCENTIVE PAY AND BONUS AUTHORITIES.**—Section 335(k) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(f) **HAZARDOUS DUTY PAY.**—Section 351(i) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(g) **ASSIGNMENT PAY OR SPECIAL DUTY PAY.**—Section 352(g) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(h) **SKILL INCENTIVE PAY OR PROFICIENCY BONUS.**—Section 353(j) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(i) **RETENTION BONUS FOR MEMBERS WITH CRITICAL MILITARY SKILLS OR ASSIGNED TO HIGH PRIORITY UNITS.**—Section 355(i) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

SEC. 615. EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

(a) **AVIATION OFFICER RETENTION BONUS.**—Section 301b(a) of title 37, United States Code, is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(b) **ASSIGNMENT INCENTIVE PAY.**—Section 307a(g) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(c) **REENLISTMENT BONUS FOR ACTIVE MEMBERS.**—Section 308(g) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(d) **ENLISTMENT BONUS.**—Section 309(e) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(e) **ACCESSION BONUS FOR NEW OFFICERS IN CRITICAL SKILLS.**—Section 324(g) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(f) **INCENTIVE BONUS FOR CONVERSION TO MILITARY OCCUPATIONAL SPECIALTY TO EASE PERSONNEL SHORTAGE.**—Section 326(g) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(g) **INCENTIVE BONUS FOR TRANSFER BETWEEN ARMED FORCES.**—Section 327(h) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(h) **ACCESSION BONUS FOR OFFICER CANDIDATES.**—Section 330(f) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

SEC. 616. EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF REFERRAL BONUSES.

(a) **HEALTH PROFESSIONS REFERRAL BONUS.**—Section 1030(i) of title 10, United States Code, is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

(b) **ARMY REFERRAL BONUS.**—Section 3252(h) of such title is amended by striking “December 31, 2009” and inserting “December 31, 2010”.

SEC. 617. SPECIAL COMPENSATION FOR MEMBERS OF THE UNIFORMED SERVICES WITH SERIOUS INJURIES OR ILLNESSES REQUIRING ASSISTANCE IN EVERYDAY LIVING.

(a) **IN GENERAL.**—Chapter 7 of title 37, United States Code, is amended by adding at the end the following new section:

“§439. Special compensation: members of the uniformed services with serious injuries or illnesses requiring assistance in everyday living

“(a) MONTHLY COMPENSATION.—The Secretary concerned may pay to any member of the uniformed services described in subsection (b) monthly special compensation in an amount determined under subsection (c).

“(b) COVERED MEMBERS.—A member eligible for monthly special compensation authorized by subsection (a) is a member who—

“(1) has been certified by a licensed physician to be in need of assistance from another person to perform the personal functions required in everyday living;

“(2) has a serious injury, disorder, or disease of either a temporary or permanent nature that—

“(A) is incurred or aggravated in the line of duty; and

“(B) compromises the member’s ability to carry out one or more activities of daily living or requires the member to be constantly supervised to avoid physical harm to the member or to others; and

“(3) meets such other criteria, if any, as the Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard) prescribes for purposes of this section.

“(c) AMOUNT.—(1) The amount of monthly special compensation payable to a member under subsection (a) shall be determined under criteria prescribed by the Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard), but may not exceed the amount of aid and attendance allowance authorized by section 1114(r)(2) of title 38 for veterans in need of aid and attendance.

“(2) In determining the amount of monthly special compensation, the Secretary concerned shall consider the following:

“(A) The extent to which home health care and related services are being provided by the Government.

“(B) The extent to which aid and attendance services are being provided by family and friends who may be compensated with funds provided through the monthly special compensation.

“(d) PAYMENT UNTIL MEDICAL RETIREMENT.—Monthly special compensation is payable under this section to a member described in subsection (b) for any month that begins before the date on which the member is medically retired.

“(e) CONSTRUCTION WITH OTHER PAY AND ALLOWANCES.—Monthly special compensation payable to a member under this section is in addition to any other pay and allowances payable to the member by law.

“(f) BENEFIT INFORMATION.—The Secretary of Defense, in collaboration with the Secretary of Veterans Affairs, shall ensure that members of the uniformed services who may be eligible for compensation under this section are made aware of the availability of such compensation by including information about such compensation in written and online materials for such members and their families.

“(g) REGULATIONS.—The Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard) shall prescribe regulations to carry out this section.”.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense (and the Secretary of Homeland Security, with respect to the Coast Guard) shall submit to Congress a report on the provision of compensation under section 439 of title 37, United States Code, as added by subsection (a) of this section.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An estimate of the number of members of the uniformed services eligible for compensation under such section 439.

(B) The number of members of the uniformed services receiving compensation under such section.

(C) The average amount of compensation provided to members of the uniformed services receiving such compensation.

(D) The average amount of time required for a member of the uniformed services to receive such compensation after the member becomes eligible for the compensation.

(E) A summary of the types of injuries, disorders, and diseases of members of the uniformed services receiving such compensation

that made such members eligible for such compensation.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by adding at the end the following new item:

“439. Special compensation: members of the uniformed services with serious injuries or illnesses requiring assistance in everyday living.”.

SEC. 618. TEMPORARY AUTHORITY FOR MONTHLY SPECIAL PAY FOR MEMBERS OF THE ARMED FORCES SUBJECT TO CONTINUING ACTIVE DUTY OR SERVICE UNDER STOP-LOSS AUTHORITIES.

(a) SPECIAL PAY AUTHORIZED.—The Secretary of the military department concerned may pay monthly special pay to any member of the Armed Forces described in subsection (b) for any month or portion of a month in which the member serves on active duty in the Armed Forces or active status in a reserve component of the Armed Forces, including time served performing pre-deployment and re-integration duty regardless of whether or not such duty was performed by such a member on active duty in the Armed Forces, or has the member’s eligibility for retirement from the Armed Forces suspended, as described in that subsection.

(b) COVERED MEMBERS.—A member of the Armed Forces described in this subsection is any member of the Army, Navy, Air Force, or Marine Corps (including a member of a reserve component thereof) who, at any time during the period beginning on October 1, 2009, and ending on June 30, 2011, serves on active duty in the Armed Forces or active status in a reserve component of the Armed Forces, including time served performing pre-deployment and re-integration duty regardless of whether or not such duty was performed by such a member on active duty in the Armed Forces, while the member’s enlistment or period of obligated service is extended, or has the member’s eligibility for retirement suspended, pursuant to section 123 or 12305 of title 10, United States Code, or any other provision of law (commonly referred to as a “stop-loss authority”) authorizing the President to extend an enlistment or period of obligated service, or suspend eligibility for retirement, of a member of the uniformed services in time of war or of national emergency declared by Congress or the President.

(c) AMOUNT.—The amount of monthly special pay payable to a member under this section for a month may not exceed \$500.

(d) CONSTRUCTION WITH OTHER PAYS.—Monthly special pay payable to a member under this section is in addition to any other amounts payable to the member by law.

Subtitle C—Travel and Transportation Allowances

SEC. 631. TRAVEL AND TRANSPORTATION ALLOWANCES FOR DESIGNATED INDIVIDUALS OF WOUNDED, ILL, OR INJURED MEMBERS OF THE UNIFORMED SERVICES FOR DURATION OF INPATIENT TREATMENT.

(a) AUTHORITY TO PROVIDE TRAVEL TO DESIGNATED INDIVIDUALS.—Subsection (a) of section 411h of title 37, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “family members of a member described in paragraph (2)” and inserting “individuals who, with respect to a member described in paragraph (2), are designated individuals for that member”;

(B) by striking “that the presence of the family member” and inserting “, with respect to any such individual, that the presence of such individual”; and

(C) by striking “of family members” and inserting “of designated individuals”; and

(2) by adding at the end the following new paragraph:

“(4) In the case of a designated individual who is also a member of the uniformed services,

that member may be provided travel and transportation under this section in the same manner as a designated individual who is not a member.”.

(b) **DEFINITION OF DESIGNATED INDIVIDUAL.**—(1) **IN GENERAL.**—Paragraph (1) of subsection (b) of such section is amended by striking “the term” and all that follows and inserting “the term ‘designated individual’, with respect to a member, means—

“(A) an individual designated by the member for the purposes of this section; or

“(B) in the case of a member who has not made a designation under subparagraph (A) and, as determined by the attending physician or surgeon, is not able to make such a designation, an individual who, as designated by the attending physician or surgeon and the commander or head of the military medical facility exercising control over the member, is someone with a personal relationship to the member whose presence may aid and support the health and welfare of the member during the duration of the member’s inpatient treatment.”.

(2) **DESIGNATIONS NOT PERMANENT.**—Paragraph (2) of such subsection is amended to read as follows:

“(2) The designation of an individual as a designated individual for purposes of this section may be changed at any time.”.

(c) **COVERAGE OF MEMBERS HOSPITALIZED OUTSIDE THE UNITED STATES WHO WERE WOUNDED OR INJURED IN A COMBAT OPERATION OR COMBAT ZONE.**—

(1) **COVERAGE FOR HOSPITALIZATION OUTSIDE THE UNITED STATES.**—Subparagraph (B) of section (a)(2) of such section is amended—

(A) in clause (i), by striking “in or outside the United States”; and

(B) in clause (ii), by striking “in the United States”.

(2) **CLARIFICATION OF MEMBERS COVERED.**—Such subparagraph is further amended—

(A) in clause (i), by inserting “seriously wounded,” after “(i) is”; and

(B) in clause (ii)—

(i) by striking “an injury” and inserting “a wound or an injury”; and

(ii) by striking “that injury” and inserting “that wound or injury”.

(d) **COVERAGE OF MEMBERS WITH SERIOUS MENTAL DISORDERS.**—

(1) **IN GENERAL.**—Subsection (a)(2)(B)(i) of such section, as amended by subsection (c) of this section, is further amended by inserting “(including having a serious mental disorder)” after “seriously injured”.

(2) **SERIOUS MENTAL DISORDER DEFINED.**—Subsection (b) of such section 411h, as amended by subsection (b) of this section, is further amended by adding at the end the following new paragraph:

“(4)(A) In this section, the term ‘serious mental disorder’, in the case of a member, means that the member has been diagnosed with a mental disorder that requires intensive mental health treatment or hospitalization.

“(B) The circumstances in which a member shall be considered to have a serious mental disorder for purposes of this section shall include, but not be limited to, the following:

“(i) The member is considered to be a potential danger to self or others as a result of a diagnosed mental disorder that requires intensive mental health treatment or hospitalization.

“(ii) The member is diagnosed with a mental disorder and has psychotic symptoms that require intensive mental health treatment or hospitalization.

“(iii) The member is diagnosed with a mental disorder and has severe symptoms or severe impairment in functioning that require intensive mental health treatment or hospitalization.”.

(e) **FREQUENCY OF AUTHORIZED TRAVEL.**—Paragraph (3) of subsection (a) of such section 411h is amended to read as follows:

“(3) Not more than a total of three roundtrips may be provided under paragraph (1) in any 60-

day period at Government expense to the individuals who, with respect to a member, are the designated individuals of that member in effect during that period. However, if the Secretary concerned has granted a waiver under the second sentence of paragraph (1) with respect to a member, then for any 60-day period in which the waiver is in effect the limitation in the preceding sentence shall be adjusted accordingly. In addition, during any period during which there is in effect a non-medical attendant designation for a member under section 411h-1 of this title, not more than a total of two roundtrips may be provided under paragraph (1) in any 60-day period at Government expense until there no longer is a designation of a non-medical attendant or that designation transfers to another individual, in which case during the transfer period three roundtrip tickets may be provided.”.

(f) **STYLISTIC AND CONFORMING AMENDMENTS.**—Such section is further amended—

(1) in subsection (a), by striking “(a)(1)” and inserting “(a) TRAVEL AND TRANSPORTATION AUTHORIZED.—(1)”; and

(2) in subsection (b)—

(A) by striking “(b)(1)” and inserting “(b) DEFINITIONS.—(1)”; and

(B) in paragraph (3)—

(i) by inserting “(A)” after “(3)”; and

(ii) by adding at the end the following new subparagraph:

“(B) In this paragraph, the term ‘family member’, with respect to a member, means the following:

“(i) The member’s spouse.

“(ii) Children of the member (including stepchildren, adopted children, and illegitimate children).

“(iii) Parents of the member or persons in loco parentis to the member, including fathers and mothers through adoption and persons who stood in loco parentis to the member for a period not less than one year immediately before the member entered the uniformed service, except that only one father and one mother or their counterparts in loco parentis may be recognized in any one case.

“(iv) Siblings of the member.

“(v) A person related to the member as described in clause (i), (ii), (iii), or (iv) who is also a member of the uniformed services.”.

(3) in subsection (c)—

(A) by striking “(c)(1)” and inserting “(c) ROUND TRIP TRANSPORTATION AND PER DIEM ALLOWANCE.—(1)”; and

(B) in paragraph (1), by striking “family member” and inserting “designated individual”; and

(4) in subsection (d), by striking “(d)(1)” and inserting “(d) METHOD OF TRANSPORTATION AUTHORIZED.—(1)”.

(g) **CLERICAL AMENDMENTS.**—

(1) **SECTION HEADING.**—The heading of such section is amended to read as follows:

“§411h. Travel and transportation allowances: transportation of designated individuals incident to hospitalization of members for treatment of wounds, illness, or injury”.

(2) **TABLE OF SECTIONS.**—The item relating to such section in the table of sections at the beginning of chapter 7 of such title is amended to read as follows:

“411h. Travel and transportation allowances: transportation of designated individuals incident to hospitalization of members for treatment of wounds, illness, or injury.”.

(h) **CONFORMING AMENDMENT TO WOUNDED WARRIOR ACT.**—Section 1602(4) of the Wounded Warrior Act (10 U.S.C. 1071 note) is amended by striking “411h(b)(1)” and inserting “411h(b)(3)(B)”.

(i) **APPLICABILITY OF AMENDMENTS.**—No reimbursement may be provided under section 411h of title 37, United States Code, by reason of the amendments made by this section for travel and

transportation costs incurred before the date of the enactment of this Act.

SEC. 632. TRAVEL AND TRANSPORTATION ALLOWANCES FOR NON-MEDICAL ATTENDANTS OF SERIOUSLY WOUNDED, ILL, OR INJURED MEMBERS OF THE UNIFORMED SERVICES.

(a) **PAYMENT OF TRAVEL COSTS AUTHORIZED.**—

(1) **IN GENERAL.**—Chapter 7 of title 37, United States Code, is amended by inserting after section 411h the following new section:

“§411h-1. Travel and transportation allowances: transportation of non-medical attendants for members who are seriously wounded, ill, or injured

“(a) **IN GENERAL.**—Under uniform regulations prescribed by the Secretaries concerned, travel and transportation described in subsection (d) may be provided for a qualified non-medical attendant for a member of the uniformed services described in subsection (c) if the attending physician or surgeon and the commander or head of the military medical facility exercising control over the member jointly determine that the presence of such an attendant may contribute to the member’s health and welfare.

“(b) **QUALIFIED NON-MEDICAL ATTENDANT.**—For purposes of this section, a qualified non-medical attendant with respect to a member described in subsection (c) is an individual who—

“(1) the member designates for purposes of this section to be a non-medical attendant for the member; or

“(2) the attending physician or surgeon and the commander or head of the military medical facility exercising control over the member jointly determine is an appropriate non-medical attendant for the member whose presence may contribute to the member’s health and welfare.

“(c) **COVERED MEMBERS.**—A member of the uniformed services described in this subsection is a member who—

“(1) is serving on active duty, is entitled to pay and allowances under section 204(g) of this title (or would be so entitled if not for offsetting earned income described in that subsection), or is retired for the wound, illness, or injury for which the member is categorized as described in paragraph (2);

“(2) has been determined by the attending physician or surgeon to be in the category known as ‘very seriously wounded, ill, or injured’ or in the category known as ‘seriously wounded, ill, and injured’; and

“(3) either—

“(A) is hospitalized for treatment of the wound, illness, or injury for which the member is so categorized; or

“(B) requires continuing outpatient treatment for such wound, illness, or injury.

“(d) **TRAVEL AND TRANSPORTATION.**—(1)(A) The transportation authorized by subsection (a) for a qualified non-medical attendant for a member is round-trip transportation between the home of the attendant and the location at which the member is receiving treatment, including transportation, while accompanying the member, to any other location to which the member is subsequently transferred for further treatment.

“(B) In addition to the transportation authorized by subsection (a), the Secretary concerned may provide a per diem allowance or reimbursement, or a combination thereof, for the actual and necessary expenses of travel as described in subparagraph (A), but at rates not to exceed the rates for travel established under section 404(d) of this title.

“(2) The transportation authorized by subsection (a) includes transportation, while accompanying the member, necessary to obtain treatment for the member at the location to which the member is permanently assigned.

“(3) The transportation authorized by subsection (a) may be provided by any means as follows:

“(A) Transportation in-kind.

“(B) A monetary allowance in place of transportation in-kind.

“(C) Reimbursement for the cost of commercial transportation.

“(4) An allowance payable under this subsection may be paid in advance.

“(5) Reimbursement payable under this subsection for air travel may not exceed the cost of Government-procured commercial round-trip air travel.

“(e) COORDINATION WITH TRANSPORTATION AND ALLOWANCES FOR DESIGNATED INDIVIDUALS.—An individual may not receive travel and transportation allowances under section 411h of this title and this section simultaneously.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item related to section 411h the following new item:

“411h-1. Travel and transportation allowances: transportation of non-medical attendants for members who are seriously wounded, ill, or injured.”.

(b) APPLICABILITY.—No reimbursement may be provided under section 411h-1 of title 37, United States Code (as added by subsection (a)), for any costs of travel or transportation incurred before the date of the enactment of this Act.

SEC. 633. TRAVEL AND TRANSPORTATION ALLOWANCES FOR MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES ON LEAVE FOR SUSPENSION OF TRAINING.

(a) ALLOWANCES AUTHORIZED.—

(1) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by inserting after section 411j the following new section:

“**§411k. Travel and transportation allowances: travel performed by certain members of the reserve components of the armed forces in connection with leave for suspension of training**

“(a) ALLOWANCE AUTHORIZED.—The Secretary concerned may reimburse or provide transportation to a member of a reserve component of the armed forces on active duty for a period of more than 30 days who is performing duty at a temporary duty station for travel between the member's temporary duty station and the member's permanent duty station in connection with authorized leave pursuant to a suspension of training.

“(b) MINIMUM DISTANCE BETWEEN STATIONS.—A member may be paid for or provided transportation under subsection (a) only as follows:

“(1) In the case of a member who travels between a temporary duty station and permanent duty station by air transportation, if the distance between such stations is not less than 300 miles.

“(2) In the case of a member who travels between a temporary duty station and permanent duty station by ground transportation, if the distance between such stations is more than the normal commuting distance from the permanent duty station (as determined under the regulations prescribed under subsection (e)).

“(c) MINIMUM PERIOD OF SUSPENSION OF TRAINING.—A member may be paid for or provided transportation under subsection (a) only in connection with a suspension of training covered by that subsection that is five days or more in duration.

“(d) LIMITATION ON REIMBURSEMENT.—The amount a member may be paid under subsection (a) for travel may not exceed the amount that would be paid by the government (as determined under the regulations prescribed under subsection (e)) for the least expensive means of travel between the duty stations concerned.

“(e) REGULATIONS.—The Secretary concerned shall prescribe regulations to carry out this section. Regulations prescribed by the Secretary of a military department shall be subject to the approval of the Secretary of Defense.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 411j the following new item:

“411k. Travel and transportation allowances: travel performed by certain members of the reserve components of the armed forces in connection with leave for suspension of training.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to travel that occurs on or after that date.

SEC. 634. REIMBURSEMENT OF TRAVEL EXPENSES OF MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY AND THEIR DEPENDENTS FOR TRAVEL FOR SPECIALTY CARE UNDER EXCEPTIONAL CIRCUMSTANCES.

(a) REIMBURSEMENT AUTHORIZED.—Section 1074i of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) REIMBURSEMENT FOR TRAVEL UNDER EXCEPTIONAL CIRCUMSTANCES.—The Secretary of Defense may provide reimbursement for reasonable travel expenses of travel of members of the armed forces on active duty and their dependents, and accompaniment, to a specialty care provider not otherwise authorized by subsection (a) under such exceptional circumstances as the Secretary considers appropriate for purposes of this section.”.

(b) TECHNICAL AMENDMENT.—Subsection (a) of such section is amended by inserting “of Defense” after “the Secretary”.

SEC. 635. TRAVEL AND TRANSPORTATION FOR SURVIVORS OF DECEASED MEMBERS OF THE UNIFORMED SERVICES TO ATTEND MEMORIAL CEREMONIES.

(a) ALLOWANCES AUTHORIZED.—Subsection (a) of section 411f of title 37, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) The Secretary concerned may provide round trip travel and transportation allowances to eligible relatives of a member of the uniformed services who dies while on active duty in order that the eligible relatives may attend a memorial service for the deceased member that occurs at a location other than the location of the burial ceremony for which travel and transportation allowances are provided under paragraph (1). Travel and transportation allowances may be provided under this paragraph for travel of eligible relatives to only one memorial service for the deceased member concerned.”.

(b) CONFORMING AMENDMENTS.—Subsection (c) of such section is amended—

(1) by striking “subsection (a)(1)” the first place it appears and inserting “paragraphs (1) and (2) of subsection (a)”;

(2) by striking “subsection (a)(1)” the second place it appears and inserting “paragraph (1) or (2) of subsection (a)”.

Subtitle D—Other Matters

SEC. 651. AUTHORITY TO CONTINUE PROVISION OF INCENTIVES AFTER TERMINATION OF TEMPORARY ARMY AUTHORITY TO PROVIDE ADDITIONAL RECRUITMENT INCENTIVES.

Subsection (i) of section 681 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3321) is amended to read as follows:

“(i) TERMINATION OF AUTHORITY.—

“(1) IN GENERAL.—The Secretary may not develop an incentive under this section, or first provide an incentive developed under this section to an individual, after December 31, 2009.

“(2) CONTINUATION OF INCENTIVES.—Nothing in paragraph (1) shall be construed to prohibit or limit the continuing provision to an individual after the date specified in that paragraph of an incentive first provided the individual under this section before that date.”.

SEC. 652. REPEAL OF REQUIREMENT OF REDUCTION OF SBP SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.

(a) REPEAL.—

(1) IN GENERAL.—Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(A) In section 1450, by striking subsection (c).

(B) In section 1451(c)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—Such subchapter is further amended as follows:

(A) In section 1450—

(i) by striking subsection (e);

(ii) by striking subsection (k); and

(iii) by striking subsection (m).

(B) In section 1451(g)(1), by striking subparagraph (C).

(C) In section 1452—

(i) in subsection (f)(2), by striking “does not apply—” and all that follows and inserting “does not apply in the case of a deduction made through administrative error.”; and

(ii) by striking subsection (g).

(D) In section 1455(c), by striking “, 1450(k)(2).”.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (f) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (f) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR DEPENDENT CHILDREN.—Section 1448(d) of such title is amended—

(1) in paragraph (1), by striking “Except as provided in paragraph (2)(B), the Secretary concerned” and inserting “The Secretary concerned”; and

(2) in paragraph (2)—

(A) by striking “DEPENDENT CHILDREN.—” and all that follows through “In the case of a member described in paragraph (1),” and inserting “DEPENDENT CHILDREN ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a member described in paragraph (1),”; and

(B) by striking subparagraph (B).

(e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES.—The Secretary of the military department concerned shall restore annuity eligibility to any eligible surviving spouse who, in consultation with the Secretary, previously elected to transfer payment of such annuity to a surviving child or children under the provisions of section 1448(d)(2)(B) of title 10, United States Code, as in effect on the day before the effective date provided under subsection (f). Such eligibility shall be restored whether or not payment to such child or children subsequently was terminated due to loss of dependent status or death. For the purposes of this subsection, an eligible spouse includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment.

(f) **EFFECTIVE DATE.**—The sections and the amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

SEC. 653. SENSE OF CONGRESS ON AIRFARES FOR MEMBERS OF THE ARMED FORCES.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The Armed Forces is comprised of over 1,450,000 active-duty members from every State and territory of the United States who are assigned to thousands of installations, stations, and ships worldwide and who oftentimes must travel long distances by air at their own expense to enjoy the benefits of leave and liberty.

(2) The United States is indebted to the members of the all volunteer Armed Forces and their families who protect our Nation, often experiencing long separations due to the demands of military service and in life threatening circumstances.

(3) Military service often precludes long range planning for leave and liberty to provide opportunities for reunions and recreation with loved ones and requires changes in planning due to military necessity which results in last minute changes in planning.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) all United States commercial carriers should seek to lend their support with flexible, generous policies applicable to members of the Armed Forces who are traveling on leave or liberty at their own expense; and

(2) each United States air carrier, for all members of the Armed Forces who have been granted leave or liberty and who are traveling by air at their own expense, should—

(A) seek to provide reduced air fares that are comparable to the lowest airfare for ticketed flights and that eliminate to the maximum extent possible advance purchase requirements;

(B) seek to eliminate change fees or charges and any penalties for military personnel;

(C) seek to eliminate or reduce baggage and excess weight fees;

(D) offer flexible terms that allow members of the Armed Forces on active duty to purchase, modify, or cancel tickets without time restrictions, and to waive fees (including baggage fees), ancillary costs, or penalties; and

(E) seek to take proactive measures to ensure that all airline employees, particularly those who issue tickets and respond to members of the Armed Forces and their family members are trained in the policies of the airline aimed at benefitting members of the Armed Forces who are on leave.

SEC. 654. CONTINUATION ON ACTIVE DUTY OF RESERVE COMPONENT MEMBERS DURING PHYSICAL DISABILITY EVALUATION FOLLOWING MOBILIZATION AND DEPLOYMENT.

Section 1218 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) The Secretary of a military department shall ensure that each member of a reserve component under the jurisdiction of the Secretary who is determined, after a mobilization and deployment to an area in which imminent danger pay is authorized under section 310 of title 37, to require evaluation for a physical or mental disability which could result in separation or retirement for disability under this chapter or placement on the temporary disability retired list or inactive status list under this chapter is retained on active duty during the disability evaluation process until such time as such member is—

“(A) cleared by appropriate authorities for continuation on active duty; or

“(B) separated, retired, or placed on the temporary disability retired list or inactive status list.

“(2)(A) A member described in paragraph (1) may request termination of active duty under such paragraph at any time during the demobilization or disability evaluation process of such member.

“(B) Upon a request under subparagraph (A), a member described in paragraph (1) shall only be released from active duty after the member receives counseling about the consequences of termination of active duty.

“(C) Each release from active duty under subparagraph (B) shall be thoroughly documented.

“(3) The requirements in paragraph (1) shall expire on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010.”.

SEC. 655. USE OF LOCAL RESIDENCES FOR COMMUNITY-BASED CARE FOR CERTAIN RESERVE COMPONENT MEMBERS.

Section 1222 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) **USE OF LOCAL RESIDENCES FOR CERTAIN RESERVE COMPONENT MEMBERS.**—(1)(A) A member of a reserve component described by subparagraph (B) may be assigned to the community-based warrior transition unit located nearest to the member's permanent place of residence if residing at that location is—

“(i) medically feasible, as determined by a licensed military health care provider; and

“(ii) consistent with—

“(I) the needs of the armed forces; and

“(II) the optimal course of medical treatment of the member.

“(B) A member of a reserve component described by this subparagraph is any member remaining on active duty under section 1218(d) of this title during the period the member is on active duty under such subsection.

“(2) Nothing in this subsection shall be construed as terminating, altering, or otherwise affecting the authority of the commander of a member described in paragraph (1)(B) to order the member to perform duties consistent with the member's fitness for duty.

“(3) The Secretary concerned shall pay any reasonable expenses of transportation, lodging, and meals incurred by a member residing at the member's permanent place of residence under this subsection in connection with travel from the member's permanent place of residence to a medical facility during the period in which the member is covered by this subsection.”.

SEC. 656. ASSISTANCE WITH TRANSITIONAL BENEFITS.

(a) **IN GENERAL.**—Chapter 61 of title 10, United States Code, is amended by inserting after section 1218 the following new section:

“§ 1218a. Discharge or release from active duty: transition assistance

“The Secretary of a military department shall provide to a member of a reserve component under the jurisdiction of the Secretary who is injured while on active duty in the armed forces the following before such member is demobilized or separated from the armed forces:

“(1) Information on the availability of care and administrative processing through community based warrior transition units.

“(2) The location of the community based warrior transition unit located nearest to the member's permanent place of residence.

“(3) An opportunity to consult with a member of the applicable judge advocate general's corps, or other qualified legal assistance attorney, regarding the member's eligibility for compensation, disability, or other transitional benefits.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 61 of such title is amended by inserting after the item relating to section 1218 the following new item:

“1218a. Discharge or release from active duty: transition assistance.”.

SEC. 657. REPORT ON RECRUITMENT AND RETENTION OF MEMBERS OF THE AIR FORCE IN NUCLEAR CAREER FIELDS.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act,

the Secretary of the Air Force shall submit to the congressional defense committees a report on the efforts of the Air Force to attract and retain qualified individuals for service as members of the Air Force involved in the operation, maintenance, handling, and security of nuclear weapons.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A description of current reenlistment rates, set forth by Air Force Specialty Code, of members of the Air Force serving in positions involving the operation, maintenance, handling, and security of nuclear weapons.

(2) A description of the current personnel fill rate for Air Force units involved in the operation, maintenance, handling, and security of nuclear weapons.

(3) An assessment of the steps the Air Force has taken, including the use of retention bonuses or assignment incentive pay, to improve recruiting and retention of officers and enlisted personnel by the Air Force for the positions described in paragraph (1).

(4) An assessment of the feasibility, advisability, utility, and cost effectiveness of establishing additional bonuses or incentive pay as a way to enhance the recruitment and retention by the Air Force of skilled personnel in the positions described in paragraph (1).

(5) An assessment of whether assignment incentive pay should be provided for members of the Air Force covered by the Personnel Reliability Program.

(6) An assessment of the long-term community management plan for recruitment and retention by the Air Force of skilled personnel in the positions described in paragraph (1).

(7) Such other matters as the Secretary considers appropriate.

SEC. 658. SENSE OF CONGRESS ON ESTABLISHMENT OF FLEXIBLE SPENDING ARRANGEMENTS FOR THE UNIFORMED SERVICES.

(a) **IN GENERAL.**—It is the sense of Congress that, the Secretary of Defense, with respect to members of the Army, Navy, Marine Corps, and Air Force, the Secretary of Homeland Security, with respect to members of the Coast Guard, the Secretary of Health and Human Services, with respect to commissioned officers of the Public Health Service, and the Secretary of Commerce, with respect to commissioned officers of the National Oceanic and Atmospheric Administration, should establish procedures to implement flexible spending arrangements with respect to basic pay and compensation, for health care and dependent care on a pre-tax basis in accordance with regulations prescribed under sections 106(c) and 125 of the Internal Revenue Code of 1986.

(b) **CONSIDERATIONS.**—It is the sense of Congress that, in establishing the procedures described by subsection (a), the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Secretary of Commerce should consider life events of members of the uniformed services that are unique to them as members of the uniformed services, including changes relating to permanent changes of duty station and deployments to overseas contingency operations.

SEC. 659. TREATMENT AS ACTIVE SERVICE FOR RETIRED PAY PURPOSES OF SERVICE AS MEMBER OF ALASKA TERRITORIAL GUARD DURING WORLD WAR II.

(a) **IN GENERAL.**—Service as a member of the Alaska Territorial Guard during World War II of any individual who was honorably discharged therefrom under section 8147 of the Department of Defense Appropriations Act, 2001 (Public Law 106-259; 114 Stat. 705) shall be treated as active service for purposes of the computation under chapter 61, 71, 371, 571, 871, or 1223 of title 10, United States Code, as applicable, of the retired pay to which such individual may be entitled under title 10, United States Code.

(b) **APPLICABILITY.**—Subsection (a) shall apply with respect to amounts of retired pay payable under title 10, United States Code, for months beginning on or after the date of the enactment of this Act. No retired pay shall be paid to any individual by reason of subsection (a) for any period before that date.

(c) **WORLD WAR II DEFINED.**—In this section, the term “World War II” has the meaning given that term in section 101(8) of title 38, United States Code.

SEC. 660. INCLUSION OF SERVICE AFTER SEPTEMBER 11, 2001, IN DETERMINATION OF REDUCED ELIGIBILITY AGE FOR RECEIPT OF NON-REGULAR SERVICE RETIRED PAY.

Section 12731(f)(2)(A) of title 10, United States Code, is amended—

(1) by striking “the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008” and inserting “September 11, 2001”; and

(2) by striking “in any fiscal year after such date” and inserting “in any fiscal year after fiscal year 2001”.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE Program

SEC. 701. TRICARE STANDARD COVERAGE FOR CERTAIN MEMBERS OF THE RETIRED RESERVE, AND FAMILY MEMBERS, WHO ARE QUALIFIED FOR A NON-REGULAR RETIREMENT BUT ARE NOT YET AGE 60.

(a) **IN GENERAL.**—Chapter 55 of title 10, United States Code, is amended by inserting after section 1076d the following new section:

“§ 1076e. TRICARE program: TRICARE Standard coverage for certain members of the Retired Reserve who are qualified for a non-regular retirement but are not yet age 60

“(a) **ELIGIBILITY.**—(1) Except as provided in paragraph (2), a member of the Retired Reserve of a reserve component of the Armed Forces who is qualified for a non-regular retirement at age 60 under chapter 1223, but is not age 60, is eligible for health benefits under TRICARE Standard as provided in this section.

“(2) Paragraph (1) does not apply to a member who is enrolled, or is eligible to enroll, in a health benefits plan under chapter 89 of title 5.

“(b) **TERMINATION OF ELIGIBILITY UPON OBTAINING OTHER TRICARE COVERAGE.**—Eligibility for TRICARE Standard coverage of a member under this section shall terminate upon the member becoming eligible for TRICARE coverage at age 60 under section 1086 of this title.

“(c) **FAMILY MEMBERS.**—While a member of a reserve component is covered by TRICARE Standard under the section, the members of the immediate family of such member are eligible for TRICARE Standard coverage as dependents of the member. If a member of a reserve component dies while in a period of coverage under this section, the eligibility of the members of the immediate family of such member for TRICARE Standard coverage under this section shall continue for the same period of time that would be provided under section 1086 of this title if the member had been eligible at the time of death for TRICARE Standard coverage under such section (instead of under this section).

“(d) **PREMIUMS.**—(1) A member of a reserve component covered by TRICARE Standard under this section shall pay a premium for that coverage.

“(2) The Secretary of Defense shall prescribe for the purposes of this section one premium for TRICARE Standard coverage of members without dependents and one premium for TRICARE Standard coverage of members with dependents referred to in subsection (f)(1). The premium prescribed for a coverage shall apply uniformly to all covered members of the reserve components covered under this section.

“(3)(A) The monthly amount of the premium in effect for a month for TRICARE Standard coverage under this section shall be the amount

equal to the cost of coverage that the Secretary determines on an appropriate actuarial basis.

“(B) The appropriate actuarial basis for purposes of subparagraph (A) shall be determined in the manner specified in section 1076d(d)(3)(B) of this title with respect to the cost of coverage applicable under subparagraph (A).

“(4) The Secretary shall prescribe the requirements and procedures applicable to the payment of premiums under this subsection.

“(5) Amounts collected as premiums under this subsection shall be credited to the appropriation available for the Defense Health Program Account under section 1100 of this title, shall be merged with sums in such Account that are available for the fiscal year in which collected, and shall be available under subsection (b) of such section for such fiscal year.

“(e) **REGULATIONS.**—The Secretary of Defense, in consultation with the other administering Secretaries, shall prescribe regulations for the administration of this section.

“(f) **DEFINITIONS.**—In this section:

“(1) The term ‘immediate family’, with respect to a member of a reserve component, means all of the member’s dependents described in subparagraphs (A), (D), and (I) of section 1072(2) of this title.

“(2) The term ‘TRICARE Standard’ means—

“(A) medical care to which a dependent described in section 1076(a)(2) of this title is entitled; and

“(B) health benefits contracted for under the authority of section 1079(a) of this title and subject to the same rates and conditions as apply to persons covered under that section.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1076d the following new item:

“1076e. TRICARE program: TRICARE Standard coverage for certain members of the Retired Reserve who are qualified for a non-regular retirement but are not yet age 60.”.

(c) **EFFECTIVE DATE.**—Section 1076e of title 10, United States Code, as inserted by subsection (a), shall apply to coverage for months beginning on or after October 1, 2009, or such earlier date as the Secretary of Defense may specify.

SEC. 702. EXPANSION OF ELIGIBILITY OF SURVIVORS UNDER THE TRICARE DENTAL PROGRAM.

Section 1076a(k)(3) of title 10, United States Code, is amended by inserting before the period at the end the following: “, except that, in the case of a dependent described by subparagraph (D) or (I) of section 1072(2) of this title, the period of continuing eligibility shall be the longer of the following periods beginning on such date:

“(A) Three years.

“(B) The period ending on the date on which the dependent attains 21 years of age.

“(C) In the case of a dependent who, at 21 years of age, is enrolled in a full-time course of study at an institution of higher learning approved by the administering Secretary and is, or was, at the time of the member’s death, in fact dependent on the member for over one-half of the dependent’s support, the period ending on the earlier of the following dates:

“(i) The date on which the dependent ceases to pursue such a course of study, as determined by the administering Secretary.

“(ii) The date on which the dependent attains 23 years of age”.

SEC. 703. CONSTRUCTIVE ELIGIBILITY FOR TRICARE BENEFITS OF CERTAIN PERSONS OTHERWISE INELIGIBLE UNDER RETROACTIVE DETERMINATION OF ENTITLEMENT TO MEDICAL PART A HOSPITAL INSURANCE BENEFITS.

Section 1086(d) of title 10, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph (4):

“(4)(A) If a person referred to in subsection (c) and described by paragraph (2)(B) is subject to a retroactive determination by the Social Security Administration of entitlement to hospital insurance benefits described in paragraph (1), the person shall, during the period described in subparagraph (B), be deemed for purposes of health benefits under this section—

“(i) not to have been covered by paragraph (1); and

“(ii) not to have been subject to the requirements of section 1079(j)(1) of this title, whether through the operation of such section or subsection (g) of this section.

“(B) The period described in this subparagraph with respect to a person covered by subparagraph (A) is the period that—

“(i) begins on the date that eligibility of the person for hospital insurance benefits referred to in paragraph (1) is effective under the retroactive determination of eligibility with respect to the person as described in subparagraph (A); and

“(ii) ends on the date of the issuance of such retroactive determination of eligibility by the Social Security Administration.”.

SEC. 704. REFORM AND IMPROVEMENT OF THE TRICARE PROGRAM.

(a) **IN GENERAL.**—Commencing not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the other administering Secretaries, undertake actions to reform and improve the TRICARE program.

(b) **ELEMENTS.**—In undertaking actions to reform and improve the TRICARE program under subsection (a), the Secretary shall consider actions as follows:

(1) Actions to guarantee the availability of care without delay for eligible beneficiaries.

(2) Actions to expand and enhance sharing of health care resources among Federal health care programs, including designated providers (as that term is defined in section 721(5) of the National Defense Authorization Act for Fiscal Year 1997 (10 U.S.C. 1073 note)).

(3) Actions utilizing medical technology to speed and simplify referrals for specialty care.

(4) Actions, including a comprehensive plan, for the enhanced availability of prevention and wellness care.

(5) Actions to expand and enhance options for mental health care.

(6) Actions utilizing technology to improve direct communication with beneficiaries regarding health and preventive care.

(7) Actions regarding additional financing options for health care provided by civilian providers.

(8) Actions to improve regional or national staffing capabilities in order to enhance support provided to military medical treatment facilities facing staff shortages.

(9) Actions to reduce administrative costs.

(10) Actions to control the cost of health care and pharmaceuticals.

(11) Actions to ensure consistency throughout the TRICARE program, including actions to hold commanders of military medical treatment facilities and civilian providers accountable for compliance with access standards.

(12) Actions to create performance metrics by which to measure improvement in the TRICARE program.

(13) Such other actions as the Secretary, in consultation with the other administering Secretaries, considers appropriate.

(c) **CONSULTATION.**—In considering actions to be undertaken under this section, and in undertaking such actions, the Secretary shall consult with a broad range of national health care and military advocacy organizations.

(d) **REPORTS.**—

(1) **IN GENERAL.**—The Secretary shall, on a periodic basis, submit to the congressional defense committees a report on the progress being made in the reform and improvement of the TRICARE program under this section.

(2) **ELEMENTS.**—Each report under this subsection shall include the following:

(A) A description and assessment of the progress made as of the date of such report in the reform and improvement of the TRICARE program.

(B) Such recommendations for administrative or legislative action as the Secretary considers appropriate to expedite and enhance the reform and improvement of the TRICARE program.

(c) **DEFINITIONS.**—In this section:

(1) The term “administering Secretaries” has the meaning given that term in section 1072(3) of title 10, United States Code.

(2) The term “TRICARE program” has the meaning given that term in section 1072(7) of title 10, United States Code.

SEC. 705. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON IMPLEMENTATION OF REQUIREMENTS ON THE RELATIONSHIP BETWEEN THE TRICARE PROGRAM AND EMPLOYER-SPONSORED GROUP HEALTH PLANS.

(a) **REPORT REQUIRED.**—Not later than March 31, 2010, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the requirements of section 1097c of title 10, United States Code, relating to the relationship between the TRICARE program and employer-sponsored group health plans.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A description of the extent to which the Department of Defense has established measures to assess the effectiveness of section 1097c of title 10, United States Code, in reducing health care costs to the Department for military retirees and their families, and an assessment of the effectiveness of any measures so established.

(2) An assessment of the extent to which the implementation of such section 1097c has resulted in the migration of military retirees from coverage under the TRICARE Standard option of the TRICARE program to coverage under the TRICARE Prime option of the TRICARE program.

(3) A description of the exceptions adopted under subsection (a)(2) of such section 1097c to the requirements under such section 1097c, and an assessment of the effect of the exercise of any exceptions adopted on the administration of such section 1097c.

(4) An assessment of the extent to which the Department collects and assembles data on the treatment of employees eligible for participation in the TRICARE program in comparison with similar employees who are not eligible for participation in that program.

(5) A description of the outreach conducted by the Department to inform individuals eligible for participation in the TRICARE program and employers of their respective rights and responsibilities under such section 1097c, and an assessment of the effectiveness of any outreach so conducted.

(6) Such other matters with respect to the administration and effectiveness of the authorities in such section 1097c as the Comptroller General considers appropriate.

SEC. 706. SENSE OF THE SENATE ON HEALTH CARE BENEFITS AND COSTS FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) Career members of the Armed Forces and their families endure unique and extraordinary demands, and make extraordinary sacrifices, over the course of 20-year to 30-year careers in protecting freedom for all Americans.

(2) The nature and extent of these demands and sacrifices are never so evident as in wartime, not only during the current combat operations, but also during the wars of the last 60 years when current retired members of the Armed Forces were on continuous call to go in harm's way when and as needed.

(3) A primary benefit of enduring the extraordinary sacrifices inherent in a military career is a range of retirement benefits, including lifetime health benefits, that a grateful Nation provides for those who choose to subordinate their personal life to the national interest for so many years.

(4) Currently serving and retired members of the uniformed services and their families and survivors deserve benefits equal to their commitment and service to our Nation.

(5) Many employers are curtailing health benefits and shifting costs to their employees, which may result in retired members of the Armed Forces returning to the Department of Defense, and its TRICARE program, for health care benefits during retirement, and contribute to health care cost growth.

(6) Defense health costs also expand as a result of service-unique military readiness requirements, wartime requirements, and other necessary requirements that represent the “cost of business” for the Department of Defense.

(7) While the Department of Defense has made some efforts to contain increases in the cost of the TRICARE program, too many of those efforts have been devoted to shifting a larger share of the costs of benefits under that program to retired members of the Armed Forces who have earned health care benefits in return for a career of military service.

(8) In some cases health care providers refuse to accept TRICARE patients because that program pays less than other public and private payors and imposes unique administrative requirements.

(9) The Department of Defense records deposits to the Department of Defense Military Retiree Health Care Fund as discretionary costs to the Department in spite of legislation enacted in 2006 that requires such deposits to be made directly from the Treasury of the United States.

(10) As a result, annual payments for the future costs of servicemember health care continue to compete with other readiness needs of the Armed Forces.

(b) **SENSE OF SENATE.**—It is the sense of the Senate that—

(1) the Department of Defense and the Nation have an obligation to provide health care benefits to retired members of the Armed Forces that equals the quality of their selfless service to our country;

(2) past proposals by the Department of Defense to impose substantial fee increases on military beneficiaries have failed to acknowledge properly the findings addressed in subsection (a); and

(3) the Department of Defense has many additional options to constrain the growth of health care spending in ways that do not disadvantage retired members of the Armed Forces who participate or seek to participate in the TRICARE program, and should pursue any and all such options rather than seeking large increases for enrollment fees, deductibles, and copayments for such retirees, and their families or survivors, who do participate in that program.

SEC. 707. NOTIFICATION OF CERTAIN INDIVIDUALS REGARDING OPTIONS FOR ENROLLMENT UNDER MEDICARE PART B.

Chapter 55 of title 10, United States Code, is amended by adding at the end the following new section:

“SEC. 1111. NOTIFICATION OF CERTAIN INDIVIDUALS REGARDING OPTIONS FOR ENROLLMENT UNDER MEDICARE PART B.

“(a) **IN GENERAL.**—The Secretary of Defense shall establish procedures for identifying individuals described in subsection (b). The Secretary of Defense shall immediately notify individuals identified under the preceding sentence that they are no longer eligible for health care benefits under the TRICARE program under chapter 55 of title 10, United States Code, and of any options available for enrollment of the indi-

vidual under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.). The Secretary of Defense shall consult with the Secretary of Health and Human Services to accurately identify and notify individuals described in subsection (b) under this subsection.

“(b) **INDIVIDUALS DESCRIBED.**—An individual described in this subsection is an individual who is a covered beneficiary (as defined in section 1072(5) of title 10, United States Code) at the time the individual is entitled to part A of title XVIII of the Social Security Act under section 226(b) or section 226A of such Act (42 U.S.C. 426(b) and 426–1) and who is eligible to enroll but who has elected not to enroll (or to be deemed enrolled) during the individual's initial enrollment period under part B of such title.”.

Subtitle B—Other Health Care Benefits

SEC. 711. MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN CONNECTION WITH A CONTINGENCY OPERATION.

(a) **MENTAL HEALTH ASSESSMENTS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance for the provision of a person-to-person mental health assessment for each member of the Armed Forces who is deployed in connection with a contingency operation as follows:

(A) At a time during the period beginning 60 days before the date of deployment in connection with the contingency operation.

(B) At a time during the period beginning 90 days after the date of redeployment from the contingency operation and ending 180 days after the date of redeployment from the contingency operation.

(C) Subject to subsection (d), not later than each of 6 months, 12 months, and 24 months after return from deployment.

(2) **EXCLUSION OF CERTAIN MEMBERS.**—A mental health assessment is not required for a member of the Armed Forces under subparagraphs (B) and (C) of paragraph (1) if the Secretary determines that the member was not subjected or exposed to operational risk factors during deployment in the contingency operation concerned.

(b) **PURPOSE.**—The purpose of the mental health assessments provided pursuant to this section shall be to identify Post Traumatic Stress Disorder (PTSD), suicidal tendencies, and other behavioral health issues identified among members of the Armed Forces described in subsection (a) in order to determine which such members are in need of additional care and treatment for such health issues.

(c) **ELEMENTS.**—

(1) **IN GENERAL.**—The mental health assessments provided pursuant to this section shall—

(A) be performed by personnel trained and certified to perform such assessments and may be performed by licensed mental health professionals if such professionals are available and the use of such professionals for the assessments would not impair the capacity of such professionals to perform higher priority tasks;

(B) include a person-to-person dialogue between members of the Armed Forces described in subsection (a) and the professionals or personnel described by paragraph (1), as applicable, on such matters as the Secretary shall specify in order that the assessments achieve the purpose specified in subsection (b) for such assessments;

(C) be conducted in a private setting to foster trust and openness in discussing sensitive health concerns; and

(D) be provided in a consistent manner across the military departments.

(2) **TREATMENT OF CURRENT ASSESSMENTS.**—The Secretary may treat periodic health assessments and other person-to-person assessments that are provided to members of the Armed Forces as of the date of the enactment of this Act as meeting the requirements for mental

health assessments required under this section if the Secretary determines that such assessments and person-to-person assessments meet the requirements for mental health assessments established by this section.

(d) **CESSATION OF ASSESSMENTS.**—No mental health assessment is required to be provided to an individual under subsection (a)(1)(C) after the individual's discharge or release from the Armed Forces.

(e) **SHARING OF INFORMATION.**—

(1) **IN GENERAL.**—The Secretary of Defense shall share with the Secretary of Veterans Affairs such information on members of the Armed Forces that is derived from confidential mental health assessments, including mental health assessments provided pursuant to this section and health assessments and other person-to-person assessments provided before the date of the enactment of this Act, as the Secretary of Defense and the Secretary of Veterans Affairs jointly consider appropriate to ensure continuity of mental health care and treatment of members of the Armed Forces during their transition from health care and treatment provided by the Department of Defense to health care and treatment provided by the Department of Veterans Affairs.

(2) **PROTOCOLS.**—Any sharing of information under paragraph (1) shall occur pursuant to a protocol jointly established by the Secretary of Defense and the Secretary of Veterans Affairs for purposes of this subsection. Any such protocol shall be consistent with the following:

(A) Applicable provisions of the Wounded Warrior Act (title XVI of Public Law 110-181; 10 U.S.C. 1071 note), including in particular, section 1614 of that Act (122 Stat. 443; 10 U.S.C. 1071 note).

(B) Section 1720F of title 38, United States Code.

(f) **CONTINGENCY OPERATION DEFINED.**—In this section, the term “contingency operation” has the meaning given that term in section 101(a)(13) of title 10, United States Code.

(g) **REPORTS.**—

(1) **REPORT ON GUIDANCE.**—Upon the issuance of the guidance required by subsection (a), the Secretary of Defense shall submit to Congress a report describing the guidance.

(2) **REPORTS ON IMPLEMENTATION OF GUIDANCE.**—

(A) **INITIAL REPORT.**—Not later than 270 days after the date of the issuance of the guidance, the Secretary shall submit to Congress an initial report on the implementation of the guidance by the military departments.

(B) **SUBSEQUENT REPORT.**—Not later than two years after the date of the issuance of the guidance, the Secretary shall submit to Congress a report on the implementation of the guidance by the military departments. The report shall include an evidence based assessment of the effectiveness of the mental health assessments provided pursuant to the guidance in achieving the purpose specified in subsection (b) for such assessments.

SEC. 712. ENHANCEMENT OF TRANSITIONAL DENTAL CARE FOR MEMBERS OF THE RESERVE COMPONENTS ON ACTIVE DUTY FOR MORE THAN 30 DAYS IN SUPPORT OF A CONTINGENCY OPERATION.

Section 1145(a) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “paragraph (3)” and inserting “paragraph (4)”; and

(B) in subparagraph (A), by inserting “except as provided in paragraph (3),” before “medical and dental care”;

(2) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (4), (5), (6), and (7), respectively;

(3) by inserting after paragraph (2) the following new paragraph (3):

“(3) In the case of a member described in paragraph (2)(B), the dental care to which the

member is entitled under this subsection shall be the dental care to which a member of the uniformed services on active duty for more than 30 days is entitled under section 1074 of this title.”; and

(4) in subparagraph (A) of paragraph (6), as redesignated by paragraph (2) of this section, by striking “paragraph (4)” and inserting “paragraph (5)”.

SEC. 713. REDUCTION OF MINIMUM DISTANCE OF TRAVEL FOR REIMBURSEMENT OF COVERED BENEFICIARIES OF THE MILITARY HEALTH CARE SYSTEM FOR TRAVEL FOR SPECIALTY HEALTH CARE.

(a) **REDUCTION.**—Section 1074i(a) of title 10, United States Code, is amended by striking “100 miles” and inserting “50 miles”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date that is 90 days after the date of the enactment of this Act, and shall apply with respect to referrals for specialty health care made on or after such effective date.

(c) **OFFSET.**—The amount authorized to be appropriated by section 301(a)(5) for operation and maintenance for Defense-wide activities is hereby decreased by \$14,000,000, with the amount of the decrease to be derived from unobligated balances.

SEC. 714. REPORT ON POST-DEPLOYMENT HEALTH ASSESSMENTS OF GUARD AND RESERVE MEMBERS.

(a) **REPORT REQUIRED.**—Not later than March 1, 2010, the Secretary of Defense shall submit to the congressional defense committees a report on post-deployment health assessments of Guard and Reserve members.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following:

(1) An assessment of the feasibility of administering a Post-Deployment Health Assessment (PDHA) to each member of a reserve component of the Armed Forces returning to the member's home station from deployment in connection with a contingency operation at such home station or in the county of residence of the member within the following timeframes:

(A) In the case of a member of the Individual Ready Reserve, an assessment administered by not later than the member's release from active duty following such deployment or 10 days after the member's return to such station or county, whichever occurs earlier.

(B) In the case of any other member of a reserve component of the Armed Forces returning from deployment, by not later than the member's release from active duty following such deployment.

(2) An assessment of the feasibility of requiring that Post-Deployment Health Assessments described under paragraph (1) be performed by a practitioner trained and certified as qualified to participate in the performance of Post-Deployment Health Assessments or Post-Deployment Health Reassessments.

(3) A description of—

(A) the availability of personnel described under paragraph (2) to perform assessments described under this subsection at the home stations or counties of residence of members of the reserve components of the Armed Forces; and

(B) if such personnel are not available at such locations, the additional resources necessary to ensure such availability within one year after the date of the enactment of this Act.

Subtitle C—Health Care Administration

SEC. 721. COMPREHENSIVE POLICY ON PAIN MANAGEMENT BY THE MILITARY HEALTH CARE SYSTEM.

(a) **COMPREHENSIVE POLICY REQUIRED.**—Not later than October 1, 2010, the Secretary of Defense shall develop and implement a comprehensive policy on pain management by the military health care system.

(b) **SCOPE OF POLICY.**—The policy required by subsection (a) shall cover each of the following:

(1) The management of acute and chronic pain.

(2) The standard of care for pain management to be used throughout the Department.

(3) The consistent application of pain assessments throughout the Department.

(4) The assurance of prompt and appropriate pain care treatment and management by the Department when medically necessary.

(5) Programs of research related to acute and chronic pain, including pain attributable to central and peripheral nervous system damage characteristic of injuries incurred in modern warfare, brain injuries, and chronic migraine headache.

(6) Programs of pain care education and training for health care personnel of the Department.

(7) Programs of patient education for members suffering from acute or chronic pain and their families.

(c) **UPDATES.**—The Secretary shall revise the policy required by subsection (a) on a periodic basis in accordance with experience and evolving best practice guidelines.

(d) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the commencement of the implementation of the policy required by subsection (a), and on October 1 each year thereafter through 2018, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the policy.

(2) **ELEMENTS.**—Each report required by paragraph (1) shall include the following:

(A) A description of the policy implemented under subsection (a), and any revisions to such policy under subsection (c).

(B) A description of the performance measures used to determine the effectiveness of the policy in improving pain care for beneficiaries enrolled in the military health care system.

(C) An assessment of the adequacy of Department pain management services based on a current survey of patients managed in Department clinics.

(D) An assessment of the research projects of the Department relevant to the treatment of the types of acute and chronic pain suffered by members of the Armed Forces and their families.

(E) An assessment of the training provided to Department health care personnel with respect to the diagnosis, treatment, and management of acute and chronic pain.

(F) An assessment of the pain care education programs of the Department.

(G) An assessment of the dissemination of information on pain management to beneficiaries enrolled in the military health care system.

SEC. 722. PLAN TO INCREASE THE BEHAVIORAL HEALTH CAPABILITIES OF THE DEPARTMENT OF DEFENSE.

(a) **PLAN REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Defense shall develop and implement a plan to significantly increase the number of military and civilian behavioral health personnel of the Department of Defense by September 30, 2013.

(2) **ELEMENTS.**—The plan required by paragraph (1) may include the following:

(A) The allocation of scholarships and financial assistance under the Health Professions Scholarship and Financial Assistance Program under subchapter I of chapter 105 of title 10, United States Code, to students pursuing advanced degrees in clinical psychology and other behavioral health professions.

(B) The offering of accession and retention bonuses for psychologists as authorized by section 620 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4489).

(C) An expansion of the capacity for training doctoral-level clinical psychologists at the Uniformed Services University of the Health Sciences.

(D) An expansion of the capacity of the Department of Defense for training masters-level clinical psychologists and social workers with

expertise in deployment-related mental health disorders, such as post traumatic stress disorder.

(E) The detail of commissioned officers of the Armed Forces to accredited schools of psychology for training leading to a doctoral degree in clinical psychology or social work.

(F) The reassignment of military behavioral health providers from administrative positions to clinical positions in support of military units.

(G) The offering of civilian hiring incentives and bonuses and the utilization of direct hiring authority to increase the number of behavioral health personnel of the Department of Defense.

(H) Such other mechanisms to increase the number of behavioral health personnel of the Department of Defense as the Secretary considers appropriate.

(3) **REPORT.**—Not later than January 31, 2010, the Secretary shall submit to the congressional defense committees a report on the plan required by paragraph (1). The report shall include a comprehensive description of the plan and the actions the Secretary proposes to undertake in the implementation of the plan.

(b) **REPORT ON ADDITIONAL OFFICER OR ENLISTED MILITARY SPECIALTIES FOR BEHAVIORAL HEALTH COUNSELORS.**—

(1) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report setting forth the assessment of the Secretary of the feasibility and advisability of establishing one or more military specialties for officers or enlisted members of the Armed Forces as counselors with behavioral health expertise in order to better meet the mental health care needs of members of the Armed Forces and their families.

(2) **ELEMENTS.**—The report required by paragraph (1) shall set forth the following:

(A) A recommendation as to the feasibility and advisability of establishing one or more military specialties for officers or enlisted members of the Armed Forces as counselors with behavioral health expertise.

(B) For each military specialty recommended to be established under subparagraph (A)—

(i) a description of the qualifications required for such specialty, which qualifications shall reflect lessons learned from best practices in academia and the civilian health care industry regarding positions analogous to such specialty; and

(ii) a description of the incentives or other mechanisms, if any, that would be advisable to facilitate recruitment and retention of individuals to and in such specialty.

SEC. 723. DEPARTMENT OF DEFENSE STUDY ON MANAGEMENT OF MEDICATIONS FOR PHYSICALLY AND PSYCHOLOGICALLY WOUNDED MEMBERS OF THE ARMED FORCES.

(a) **STUDY REQUIRED.**—The Secretary of Defense shall conduct a study on the management of medications for physically and psychologically wounded members of the Armed Forces.

(b) **ELEMENTS.**—The study required under subsection (a) shall include the following:

(1) A review and assessment of current practices within the Department of Defense for the management of medications for physically and psychologically wounded members of the Armed Forces.

(2) A review and analysis of the published literature on factors contributing to the risk of misadministration of medications, including accidental and intentional overdoses, under and over medication, and adverse interactions among medications.

(3) An identification of the medical conditions, and of the patient management procedures of the Department of Defense, that may increase the risks of misadministration of medications in populations of members of the Armed Forces.

(4) An assessment of current and best practices in the Armed Forces, other departments and agencies of government, and the private

sector concerning the prescription, distribution, and management of medications, and the associated coordination of care.

(5) An identification of means for decreasing the risks of misadministration of medications and associated problems with respect to physically and psychologically wounded members of the Armed Forces.

(c) **REPORT.**—Not later than April 1, 2010, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the study required under subsection (a). The report shall include such findings and recommendations as the Secretary considers appropriate in light of the study.

SEC. 724. PRESCRIPTION OF ANTIDEPRESSANTS FOR TROOPS SERVING IN IRAQ AND AFGHANISTAN.

(a) **REPORT.**—

(1) **IN GENERAL.**—Not later than June 30, 2010, and annually thereafter until June 30, 2015, the Secretary of Defense shall submit to Congress a report on the prescription of antidepressants and drugs to treat anxiety for troops serving in Iraq and Afghanistan.

(2) **CONTENT.**—The report required under paragraph (1) shall include—

(A) the numbers and percentages of troops that have served or are serving in Iraq and Afghanistan since January 1, 2005, who have been prescribed antidepressants or drugs to treat anxiety, including psychotropic drugs such as Selective Serotonin Reuptake Inhibitors (SSRIs); and

(B) the policies and patient management practices of the Department of Defense with respect to the prescription of such drugs.

(b) **NATIONAL INSTITUTE OF MENTAL HEALTH STUDY.**—

(1) **STUDY.**—The National Institute of Mental Health shall conduct a study on the potential relationship between the increased number of suicides and attempted suicides by members of the Armed Forces and the increased number of antidepressants, drugs to treat anxiety, other psychotropics, and other behavior modifying prescription medications being prescribed, including any combination or interactions of such prescriptions. The Department of Defense shall immediately make available to the National Institute of Mental Health all data necessary to complete the study.

(2) **REPORT ON FINDINGS.**—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the findings of the study conducted pursuant to paragraph (1).

Subtitle D—Wounded Warrior Matters

SEC. 731. PILOT PROGRAM FOR THE PROVISION OF COGNITIVE REHABILITATIVE THERAPY SERVICES UNDER THE TRICARE PROGRAM.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense may, in consultation with the entities and officials referred to in subsection (d), carry out a pilot program under the TRICARE program to determine the feasibility and advisability of expanding the availability of cognitive rehabilitative therapy services for members or former members of the Armed Forces described in subsection (b).

(b) **COVERED MEMBERS AND FORMER MEMBERS.**—A member or former member of the Armed Forces is described in this subsection if—

(1) the member or former member—

(A) is otherwise eligible for medical care under the TRICARE program;

(B) has been diagnosed with a moderate to severe traumatic brain injury incurred in the line of duty in Operation Iraqi Freedom or Operation Enduring Freedom;

(C) is retired or separated from the Armed Forces for disability under chapter 61 of title 10, United States Code; and

(D) is referred by a qualified physician for cognitive rehabilitative therapy; and

(2) cognitive rehabilitative therapy is not reasonably available to the member or former member through the Department of Veterans Affairs.

(c) **ELEMENTS OF PILOT PROGRAM.**—The Secretary of Defense shall, in consultation with the entities and officials referred to in subsection (d), develop for inclusion in the pilot program the following:

(1) Procedures for access to cognitive rehabilitative therapy services.

(2) Qualifications and supervisory requirements for licensed and certified health care professionals providing such services.

(3) A methodology for reimbursing providers for such services.

(d) **ENTITIES AND OFFICIALS TO BE CONSULTED.**—The entities and officials referred to in this subsection are the following:

(1) The Secretary of Veterans Affairs.

(2) The Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury.

(3) Relevant national organizations with experience in treating traumatic brain injury.

(e) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report—

(1) evaluating the effectiveness of the pilot program in providing increased access to safe, effective, and quality cognitive rehabilitative therapy services for members and former members of the Armed Forces described in subsection (b); and

(2) making recommendations with respect to the effectiveness of cognitive rehabilitative therapy services and the appropriateness of including such services as a benefit under the TRICARE program.

(f) **TRICARE PROGRAM DEFINED.**—The term “TRICARE program” has the meaning given that term in section 1072(7) of title 10, United States Code.

(g) **FUNDING.**—Of the amount authorized to be appropriated by section 1403 for the Defense Health Program, not more than \$5,000,000 may be available to carry out the pilot program under this section.

SEC. 732. DEPARTMENT OF DEFENSE TASK FORCE ON THE CARE, MANAGEMENT, AND TRANSITION OF RECOVERING WOUNDED, ILL, AND INJURED MEMBERS OF THE ARMED FORCES.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The Secretary of Defense shall establish within the Department of Defense a task force to be known as the “Department of Defense Task Force on the Care, Management, and Transition of Recovering Wounded, Ill, and Injured Members of the Armed Forces” (in this section referred to as the “Task Force”).

(2) **PURPOSE.**—The purpose of the Task Force shall be to assess the effectiveness of the policies and programs developed and implemented by the Department of Defense, and by each of the military departments, to assist and support the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces, and to make recommendations for the further improvement of such policies and programs.

(b) **COMPOSITION.**—

(1) **MEMBERS.**—The Task Force shall consist of not more than 14 members, appointed by the Secretary of Defense from among the individuals as described in paragraph (2).

(2) **COVERED INDIVIDUALS.**—The individuals appointed to the Task Force shall include the following:

(A) At least one member of each of the regular components of the Army, the Navy, the Air Force, and the Marine Corps.

(B) One member of the National Guard.

(C) One member of a reserve component of the Armed Forces other than National Guard.

(D) A number of persons from outside the Department of Defense equal to the total number

of personnel from within the Department of Defense (whether members of the Armed Forces or civilian personnel) who are appointed to the Task Force.

(E) Persons who have experience in—

- (i) medical care and coordination for wounded, ill, and injured members of the Armed Forces;
- (ii) medical case management;
- (iii) non-medical case management;
- (iv) the disability evaluation process for members of the Armed Forces;
- (v) veterans benefits;
- (vi) treatment of traumatic brain injury and post traumatic stress disorder;
- (vii) family support;
- (viii) medical research;
- (ix) vocational rehabilitation; or
- (x) disability benefits.

(F) At least one family member of a wounded, ill, or injured member of the Armed Forces or veteran who has experience working with wounded, ill, and injured members of the Armed Forces or their families.

(3) **INDIVIDUALS APPOINTED FROM WITHIN DEPARTMENT OF DEFENSE.**—At least one of the individuals appointed to the Task Force from within the Department of Defense shall be the surgeon general of an Armed Force.

(4) **INDIVIDUALS APPOINTED FROM OUTSIDE DEPARTMENT OF DEFENSE.**—The individuals appointed to the Task Force from outside the Department of Defense—

(A) with the concurrence of the Secretary of Veterans Affairs, shall include an officer or employee of the Department of Veterans Affairs; and

(B) may include individuals from other departments or agencies of the Federal Government, from State and local agencies, or from the private sector.

(5) **DEADLINE FOR APPOINTMENTS.**—All original appointments to the Task Force shall be made not later than 120 days after the date of the enactment of this Act.

(6) **CO-CHAIRS.**—There shall be two co-chairs of the Task Force. One of the co-chairs shall be designated by the Secretary of Defense at the time of appointment from among the individuals appointed to the Task Force from within the Department of Defense. The other co-chair shall be selected from among the individuals appointed from outside the Department of Defense by those individuals.

(c) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 12 months after the date on which all members of the Task Force have been appointed, the Task Force shall submit to the Secretary of Defense a report. The report shall include the following:

(A) The findings and conclusions of the Task Force as a result of its assessment of the effectiveness of the policies and programs developed and implemented by the Department of Defense, and by each of the military departments, to assist and support the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces.

(B) A description of various ways in which the Department of Defense and the military departments could more effectively address matters relating to the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces, including members of the regular components, and members of the reserve components, and support for their families.

(C) Such recommendations for other legislative or administrative action as the Task Force considers appropriate for measures to improve the policies and programs described in subparagraph (A).

(2) **METHODOLOGY.**—For purposes of the report, the Task Force—

(A) shall conduct site visits and interviews as the Task Force considers appropriate;

(B) may consider the findings and recommendations of previous reviews and evalua-

tions of the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces; and

(C) may utilize such other means for directly obtaining information relating to the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces as the Task Force considers appropriate.

(3) **MATTERS TO BE REVIEWED AND ASSESSED.**—For purposes of the report, the Task Force shall review and assess the following:

(A) Case management, including the numbers and types of case managers (including Federal Recovery Coordinators, Recovery Care Coordinators, National Guard or Reserve case managers, and other case managers) assigned to recovering wounded, ill, and injured members of the Armed Forces, the training provided such case managers, and the effectiveness of such case managers in providing care and support to recovering wounded, ill, and injured members of the Armed Forces.

(B) The effectiveness of the Interagency Program Office in achieving fully interoperable electronic health records by September 30, 2009, in accordance with section 1635 of the Wounded Warrior Act (10 U.S.C. 1071 note).

(C) Staffing of Army Warrior Transition Units, Marine Corps Wounded Warrior Regiments, Navy and Air Force Medical Hold or Medical Holdover Units, and other service-related programs or units for recovering wounded, ill, and injured members of the Armed Forces, including the use of applicable hiring authorities to ensure the proper staffing of such programs and units.

(D) The legal support available to recovering wounded, ill, and injured members of the Armed Forces and their families.

(E) The support and assistance provided to recovering wounded, ill, and injured members of the Armed Forces as they progress through the military disability evaluation system.

(F) The effectiveness of any measures under pilot programs to improve or enhance the military disability evaluation system.

(G) The effectiveness of the Senior Oversight Committee in facilitating and overseeing collaboration between the Department of Defense and the Department of Veterans Affairs on matters relating to the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces.

(H) The establishment and effectiveness of the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury, and the centers of excellence for military eye injuries, hearing loss and auditory system injuries, and traumatic extremity injuries and amputations.

(I) The establishment and effectiveness of performance and accountability standards for warrior transition units and programs.

(J) The support available to family caregivers of recovering wounded, ill, and injured members of the Armed Forces.

(K) The availability of vocational training for recovering wounded, ill, and injured members of the Armed Forces seeking to transition to civilian life.

(L) The availability of services for traumatic brain injury and post traumatic stress disorder.

(M) The support systems in place to ease the transition of recovering wounded, ill, and injured members of the Armed Forces from the Department of Defense to the Department of Veterans Affairs.

(N) The effectiveness of wounded warrior information resources, including the Wounded Warrior Resource Center, the National Resource Directory, Military OneSource, Family Assistance Centers, and Service hotlines, in providing meaningful information for recovering wounded, ill, and injured members of the Armed Forces.

(O) Interagency matters affecting recovering wounded, ill, and injured members of the Armed Forces in their transition to civilian life.

(P) Overall coordination between the Department of Defense and the Department of Vet-

erans Affairs on the matters specified in this paragraph.

(Q) Such other matters as the Task Force considers appropriate in connection with the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces.

(4) **TRANSMITTAL.**—Not later than 90 days after receipt of the report required by paragraph (1) the Secretary of Defense shall transmit the report, together with the Secretary's evaluation of the report, to the Committees on Armed Services of the Senate and the House of Representatives.

(d) **PLAN REQUIRED.**—Not later than six months after the receipt under subsection (c) of the report of the Task Force under that subsection, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to implement the recommendations of the Task Force as included in the report of the Task Force under subsection (c).

(e) **ADMINISTRATIVE MATTERS.**—

(1) **COMPENSATION.**—Each member of the Task Force who is a member of the Armed Forces or a civilian officer or employee of the United States shall serve on the Task Force without compensation (other than compensation to which entitled as a member of the Armed Forces or an officer or employee of the United States, as the case may be). Other members of the Task Force shall be appointed in accordance with, and subject to, the provisions of section 3161 of title 5, United States Code.

(2) **OVERSIGHT.**—The Under Secretary of Defense for Personnel and Readiness shall oversee the Task Force. The Washington Headquarters Services of the Department of Defense shall provide the Task Force with personnel, facilities, and other administrative support as necessary for the performance of the duties of the Task Force.

(3) **VISITS TO MILITARY FACILITIES.**—Any visit by the Task Force to a military installation or facility shall be undertaken through the Deputy Under Secretary of Defense for Personnel and Readiness, in coordination with the Secretaries of the military departments.

(f) **TERMINATION.**—The Task Force shall terminate 90 days after the date on which the Task Force submits to the Secretary of Defense the report of the Task Force under subsection (c).

SEC. 733. REPORT ON USE OF ALTERNATIVE THERAPIES IN TREATMENT OF POST-TRAUMATIC STRESS DISORDER.

(a) **IN GENERAL.**—Not later than December 31, 2010, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on research related to post-traumatic stress disorder.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) The status of all studies and clinical trials that involve treatments of post-traumatic stress disorder conducted by the Department of Defense and the Department of Veterans Affairs.

(2) The effectiveness of alternative therapies in the treatment of post-traumatic stress disorder, including the therapeutic use of animals.

(3) Identification of areas in which the Department of Defense and the Department of Veterans Affairs may be duplicating studies, programs, or research with respect to post-traumatic stress disorder.

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Veterans' Affairs of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Veterans' Affairs of the House of Representatives.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 801. CONTRACT AUTHORITY FOR ADVANCED DEVELOPMENT OF PROTOTYPE UNITS.

(a) **CONTRACT AUTHORITY.**—

(1) **IN GENERAL.**—Chapter 139 of title 10, United States Code, is amended by inserting after section 2359b the following new section:

“§2359c. Contract authority for advanced development of prototype units

“(a) **AUTHORITY.**—A contract initially awarded from the competitive selection of a proposal resulting from a broad agency announcement pursuant to section 2302(2)(B) of this title may contain a contract line item or an option, including not-to-exceed prices, for either of the following:

“(1) The delivery of a specified number of prototype items to demonstrate technology developed under the contract.

“(2) The provision, for a specified period of time, of advanced component development effort or effort to prototype technology developed under the contract.

“(b) **LIMITATIONS.**—(1) The number of prototype items specified pursuant to subsection (a)(1) may not exceed the minimum number required to ensure that research and development work can continue without interruption during the solicitation and award of a follow-on competitive contract.

“(2) The period of time specified under subsection (a)(2) may not exceed 12 months.

“(3) The dollar value of the work to be performed pursuant to a contract line item or option under subsection (a) may not exceed the lesser of the amounts as follows:

“(A) The amount that is three times the dollar value of the work previously performed under the contract.

“(B) \$20,000,000.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 139 of such title is amended by inserting after the item relating to section 2359b the following new item:

“2359c. Contract authority for advanced development of prototype units.”

(b) **SUNSET.**—

(1) **IN GENERAL.**—Effective on the date that is five years after the date of the enactment of this Act—

(A) section 2359c of title 10, United States Code (as added by subsection (a)), is repealed; and

(B) the table of sections at the beginning of chapter 139 of such title (as amended by subsection (a)) is further amended by striking the item relating to section 2359c.

(2) **CONTINUATION OF LINE ITEMS AND OPTIONS.**—The repeal of section 2359c of title 10, United States Code (as so added), by paragraph (1) shall not affect the authority of the Department of Defense to exercise any contract line item or option included in a contract under the authority of such section before the effective date of the repeal of such section under paragraph (1).

(c) **REPORT.**—Not later than three years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authority provided by section 2359c of title 10, United States Code (as added by subsection (a)). The report shall, at a minimum—

(1) identify the number of times the authority in section 2359c of title 10, United States Code (as so added), has been used by each military department and Defense Agency, and the dollar amount of contract line items or options exercised pursuant to such authority;

(2) assess the effectiveness of the authority in promoting the maturation of technologies and in

addressing potential gaps between science and technology projects and acquisition programs;

(3) assess any potential anti-competitive impacts resulting from the use of the authority; and

(4) make such recommendations as the Secretary considers appropriate.

SEC. 802. JUSTIFICATION AND APPROVAL OF SOLE-SOURCE CONTRACTS.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall modify the Department of Defense Supplement to the Federal Acquisition Regulation to provide that the head of an agency may not award a sole-source contract for an amount exceeding \$20,000,000 unless—

(1) the contracting officer for the contract justifies the use of a sole-source contract in writing; and

(2) the justification is approved by an official designated in section 2304(f)(1)(B) of title 10, United States Code, to approve contract awards for dollar amounts that are comparable to the amount of the sole-source contract.

(b) **ELEMENTS OF JUSTIFICATION.**—The justification of a sole-source contract required pursuant to subsection (a) shall include the following:

(1) A description of the needs of the agency concerned for the matters covered by the contract.

(2) A specification of the statutory provision providing the exception from the requirement to use competitive procedures in entering into the contract.

(3) A determination that the use of a sole-source contract is in the best interest of the Department of Defense.

(4) A determination that the anticipated cost of the contract will be fair and reasonable.

(5) Such other matters as the Secretary shall specify for purposes of this section.

(c) **CONSTRUCTION WITH COMPETITION IN CONTRACTING ACT REQUIREMENTS.**—In the case of any contract for which a justification and approval is required under section 2304(f) of title 10, United States Code, a justification and approval meeting the requirements of such section may be treated as meeting the requirements of this section for purposes of the award of a sole-source contract.

Subtitle B—Acquisition Policy and Management

SEC. 811. REPORTING REQUIREMENTS FOR PROGRAMS THAT QUALIFY AS BOTH MAJOR AUTOMATED INFORMATION SYSTEM PROGRAMS AND MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) **IN GENERAL.**—Section 2445d of title 10, United States Code, is amended by striking “of this title” and all that follows and inserting “of this title, the Secretary may designate the program to be treated only as a major automated information system program covered by this chapter or to be treated only as a major defense acquisition program covered by such chapter 144.”

(b) **GUIDANCE REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance on the implementation of section 2445d of title 10, United States Code (as amended by subsection (a)). The guidance shall provide that, as a general rule—

(1) a program covered by such section that requires the development of customized hardware shall be treated only as a major defense acquisition program under chapter 144 of title 10, United States Code; and

(2) a program covered by such section that does not require the development of customized hardware shall be treated only as a major automated information system program under chapter 144A of title 10, United States Code.

SEC. 812. FUNDING OF DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.

(a) **ADDITIONAL ELEMENT OF FUND.**—Subsection (d) of section 1705 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) Amounts transferred to the Fund pursuant to paragraph (3).”; and

(2) by adding at the end the following new paragraph:

“(3) **TRANSFER OF CERTAIN UNOBLIGATED BALANCES.**—To the extent provided in appropriations Acts, the Secretary of Defense may, during the 24-month period following the expiration of availability for obligation of any appropriations made to the Department of Defense for procurement, research, development, test, and evaluation, or operation and maintenance, transfer to the Fund any unobligated balance of such appropriations. Any amount so transferred shall be credited to the Fund.”

(b) **NATURE OF EXPENDED AMOUNTS PROVIDING BASIS FOR CREDIT TO FUND.**—Subparagraph (A) of paragraph (2) of such subsection is amended by striking “, other than” and all that follows and inserting “from amounts available for operation and maintenance.”

(c) **REMITTANCES.**—Subparagraph (B) of paragraph (2) of such subsection is amended by inserting “, from amounts available to such military department or Defense Agency, as the case may be, for operation and maintenance,” after “remit to the Secretary of Defense”.

(d) **ADDITIONAL MATTERS RELATING TO REMITTANCES.**—Such subsection is further amended—

(1) in paragraph (2)(B), by striking “Not later than” and inserting “Subject to paragraph (4), not later than”; and

(2) by adding at the end the following new paragraph:

“(4) **ADDITIONAL REQUIREMENTS AND LIMITATIONS ON REMITTANCES.**—(A) In the event amounts are transferred to the Fund during a fiscal year pursuant to paragraph (1)(B) or appropriated to the Fund for a fiscal year pursuant to paragraph (1)(C), the aggregate amount otherwise required to be remitted to the Fund for that fiscal year pursuant to paragraph (2)(B) shall be reduced by the amount equal to the amounts so transferred or appropriated to the Fund during or for that fiscal year. Any reduction in the aggregate amount required to be remitted to the Fund for a fiscal year under this subparagraph shall be allocated as provided in applicable provisions of appropriations Acts or, absent such provisions, on a pro rata basis among the military departments and Defense Agencies required to make remittances to the Fund for that fiscal year under paragraph (2)(B).

“(B) Any remittance of amounts to the Fund for a fiscal year under paragraph (2) shall be subject to the availability of appropriations for that purpose.”

(e) **REMITTANCE AMOUNTS.**—Paragraph (2) of such subsection is further amended by striking subparagraphs (C) and (D) and inserting the following new subparagraphs:

“(C) For purposes of this paragraph, the applicable percentage for a fiscal year is the percentage that results in the credit to the Fund in such fiscal year of an amount as follows:

“(i) For fiscal year 2010, \$570,000,000.

“(ii) For fiscal year 2011, \$770,000,000.

“(iii) For fiscal year 2012, \$900,000,000.

“(iv) For fiscal year 2013, \$1,180,000,000.

“(v) For fiscal year 2014, \$1,330,000,000.

“(vi) For fiscal year 2015, \$1,470,000,000.

“(D) The Secretary of Defense may reduce a percentage specified in subparagraph (C) for a fiscal year if the Secretary determines that the application of such percentage would result in the crediting to the Fund in such fiscal year of

an amount greater than is reasonably needed for purposes of the Fund. The percentage for a fiscal year, as so reduced, may not be a percentage that will result in the credit to the Fund in such fiscal year of an amount that is less than 80 percent of the amount otherwise specified in subparagraph (C) for such fiscal year.”.

(f) **CLARIFICATION OF LIMITATION ON PAY OF BASE SALARY OF CURRENT EMPLOYEES.**—Subsection (e)(5) of such section is amended by striking “as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008” and inserting “serving in a position in the acquisition workforce as of January 28, 2008”.

(g) **TECHNICAL AMENDMENTS.**—

(1) Subsection (a) of such section is amended by inserting “Development” after “Workforce”.

(2) Subsection (f) of such section is amended in the matter preceding paragraph (1) by striking “beginning with fiscal year 2008”.

(h) **EFFECTIVE DATES.**—

(1) **FUNDING AMENDMENTS.**—The amendments made by subsections (a) through (e) shall take effect on October 1, 2009.

(2) **TECHNICAL AMENDMENTS.**—The amendments made by subsections (f) and (g) shall take effect on the date of the enactment of this Act.

SEC. 813. ENHANCEMENT OF EXPEDITED HIRING AUTHORITY FOR DEFENSE ACQUISITION WORKFORCE POSITIONS.

(a) **IN GENERAL.**—Paragraph (1) of section 1705(h) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “acquisition positions within the Department of Defense as shortage category position” and inserting “acquisition workforce positions as positions for which there exists a shortage of candidates or there is a critical hiring need”; and

(2) in subparagraph (B), by striking “highly qualified” and inserting “appropriately qualified”.

(b) **EXTENSION.**—Paragraph (2) of such section is amended by striking “September 30, 2012” and inserting “September 30, 2015”.

(c) **TECHNICAL AMENDMENT.**—Paragraph (1) of such section is further amended by striking “United States Code,” in the matter preceding subparagraph (A).

SEC. 814. TREATMENT OF NON-DEFENSE AGENCY PROCUREMENTS UNDER JOINT PROGRAMS WITH THE DEPARTMENT OF DEFENSE UNDER LIMITATIONS ON NON-DEFENSE AGENCY PROCUREMENTS ON BEHALF OF THE DEPARTMENT OF DEFENSE.

Section 801(b) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2304 note) is amended by adding at the end the following new paragraph:

“(3) **TREATMENT OF PROCUREMENTS UNDER JOINT PROGRAMS.**—For purposes of this subsection, a contract entered by a non-defense agency for the performance of a joint program conducted to meet the needs of the Department of Defense and the non-defense agency shall not be considered a procurement of property or services for the Department of Defense through a non-defense agency.”.

SEC. 815. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON TRAINING OF ACQUISITION AND AUDIT PERSONNEL OF THE DEPARTMENT OF DEFENSE.

(a) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment of the efficacy of Department of Defense training for acquisition and audit personnel of the Department of Defense.

(b) **ELEMENTS.**—The report required by subsection (a) shall include, at a minimum, the following:

(1) An assessment of the nature and efficacy of training (including training materials and

methods) required for acquisition and audit personnel of the Department of Defense.

(2) An assessment of the timeliness and manner in which the Department of Defense provides training for such personnel.

(3) An assessment of the extent to which such training reaches appropriate acquisition personnel, including personnel outside the acquisition workforce who exercise significant acquisition responsibilities.

(4) An assessment of the extent to which each of the Department of Defense and the Department of the Army have implemented the recommendations of the Commission on Army Acquisition and Program Management in Expeditionary Operations relating to training of acquisition personnel.

(5) Such recommendations as the Comptroller General considers appropriate regarding training of acquisition and audit personnel of the Department of Defense, including recommendations regarding best practices and objectives for improved training of such acquisition and audit personnel.

Subtitle C—Contractor Matters

SEC. 821. AUTHORITY FOR GOVERNMENT SUPPORT CONTRACTORS TO HAVE ACCESS TO TECHNICAL DATA BELONGING TO PRIME CONTRACTORS.

(a) **AUTHORITY.**—

(1) **ACCESS TO TECHNICAL DATA.**—Subsection (c) of section 2320 of title 10, United States Code, is amended—

(A) in paragraph (1), by striking “or” at the end;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph (2):

“(2) notwithstanding any limitation upon the license rights conveyed under subsection (a), allowing a covered Government support contractor access to and use of any technical data delivered under a contract for the sole purpose of furnishing independent and impartial advice or technical assistance directly to the Government in support of the Government’s management and oversight of the program or effort to which such technical data relates; or”.

(2) **COVERED GOVERNMENT SUPPORT CONTRACTOR DEFINED.**—Such section is further amended by adding at the end the following new subsection:

“(f) In this section, the term ‘covered Government support contractor’ means a contractor under a contract the primary purpose of which is to furnish independent and impartial advice or technical assistance directly to the Government in support of the Government’s management and oversight of a program or effort (rather than to directly furnish an end item or service to accomplish a program or effort), which contractor—

“(1) is not affiliated with the prime contractor or a first-tier subcontractor on the program or effort, or with any direct competitor of such prime contractor or any such first-tier subcontractor in furnishing end items or services of the type developed or produced on the program or effort; and

“(2) executes a contract with the Government agreeing to and acknowledging—

“(A) that proprietary or nonpublic technical data furnished will be accessed and used only for the purposes stated in that contract;

“(B) that a breach of that contract by the covered Government support contractor with regard to a third party’s ownership or rights in such technical data may subject the covered Government support contractor—

“(i) to criminal, civil, administrative, and contractual actions in law and equity for penalties, damages, and other appropriate remedies by the United States; and

“(ii) to civil actions for damages and other appropriate remedies by the contractor or subcontractor whose technical data is affected by the breach;

“(C) that such technical data provided to the covered Government support contractor under the authority of this section shall not be used by the covered Government support contractor to compete against the third party for Government or non-Government contracts; and

“(D) that any breach of the nondisclosure obligations under subparagraphs (A) through (C) may constitute a violation of section 1905 of title 18.”.

(b) **CRIMINAL PENALTY.**—Section 1905 of title 18, United States Code, is amended by inserting “or being an officer, agent, or employee of a private sector organization having a contractual nondisclosure agreement under the authority of section 2320(f)(2) of title 10,” after “Antitrust Civil Process Act (15 U.S.C. 1311-1314),”.

SEC. 822. EXTENSION AND ENHANCEMENT OF AUTHORITIES ON THE COMMISSION ON WARTIME CONTRACTING IN IRAQ AND AFGHANISTAN.

(a) **DATE OF FINAL REPORT.**—Subsection (d)(3) of section 841 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 230) is amended by striking “two years” and inserting “three years”.

(b) **ASSISTANCE FROM FEDERAL AGENCIES.**—Such section is further amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) **ASSISTANCE FROM FEDERAL AGENCIES.**—

“(1) **DEPARTMENT OF DEFENSE.**—The Secretary of Defense shall provide to the Commission administrative support for the performance of the Commission’s functions in carrying out the requirements of this section.

“(2) **TRAVEL AND LODGING IN COMBAT THEATERS.**—The administrative support provided the Commission under paragraph (1) shall include travel and lodging undertaken in combat theaters, which support shall be provided on a non-reimbursable basis.

“(3) **OTHER DEPARTMENTS AND AGENCIES.**—In addition to the support required by paragraph (1), any department or agency of the Federal Government may provide to the Commission such services, funds, facilities, staff, and other support services for the performance of the Commission’s functions as the head of such department or agency considers advisable, or as may otherwise be authorized by law.”.

SEC. 823. PROHIBITION ON INTERROGATION OF DETAINEES BY CONTRACTOR PERSONNEL.

(a) **REGULATIONS REQUIRED.**—Effective as of the date that is one year after the date of the enactment of this Act, the Department of Defense manpower mix criteria and the Department of Defense Supplement to the Federal Acquisition Regulation shall be modified to provide the following:

(1) That the interrogation of enemy prisoners of war, civilian internees, retained persons, other detainees, terrorists, and criminals when captured, transferred, confined, or detained during or in the aftermath of hostilities is an inherently governmental function and cannot be transferred to contractor personnel.

(2) That contractor personnel with proper training and security clearances may be used as linguists, interpreters, report writers, information technology technicians, and other employees filling ancillary positions in interrogations of persons as described in paragraph (1) if such personnel are subject to the same rules, procedures, policies, and laws pertaining to detainee operations and interrogations as apply to government personnel in such positions in such interrogations.

(b) **DISCHARGE BY GOVERNMENT PERSONNEL.**—The Secretary of Defense shall take appropriate actions to ensure that, by not later than one year after the date of the enactment of this Act, the Department of Defense has the resources needed to ensure that interrogations described in subsection (a)(1) are conducted by appropriately qualified government personnel.

SEC. 824. MODIFICATIONS TO DATABASE FOR FEDERAL AGENCY CONTRACT AND GRANT OFFICERS AND SUSPENSION AND DEBARMENT OFFICIALS.

Subsection (c) of section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4556) is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(2) by inserting after paragraph (5) the following new paragraphs:

“(6) Each audit report that, as determined by an Inspector General or the head of an audit agency responsible for the report, contains significant adverse information about a contractor that should be included in the database.

“(7) Each contract action that, as determined by the head of the contracting activity responsible for the contract action, reflects information about contractor performance or integrity that should be included in the database.”.

Subtitle D—Other Matters

SEC. 831. ENHANCED AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN CENTRAL ASIA, PAKISTAN, AND THE SOUTH CAUCASUS.

(a) **IN GENERAL.**—In the case of a product or service to be acquired in support of military operations or stability operations (including security, transition, reconstruction, and humanitarian relief activities) in Afghanistan for which the Secretary of Defense makes a determination described in subsection (b), the Secretary may conduct a procurement in which—

(1) competition is limited to products or services that are from Central Asia, Pakistan, or the South Caucasus;

(2) procedures other than competitive procedures are used to award a contract to a particular source or sources from Central Asia, Pakistan, or the South Caucasus; or

(3) a preference is provided for products or services that are from Central Asia, Pakistan, or the South Caucasus.

(b) **DETERMINATION.**—A determination described in this subsection is a determination by the Secretary that—

(1) the product or service concerned is to be used only by military forces, police, or other security personnel of Afghanistan; or

(2) it is in the national security interest of the United States to limit competition, use procedures other than competitive procedures, or provide a preference as described in subsection (a) because—

(A) such limitation, procedure, or preference is necessary—

(i) to improve local market and transportation infrastructure in Central Asia, Pakistan, or the South Caucasus in order to reduce overall United States transportation costs and risks in shipping goods in support of operations in Afghanistan; or

(ii) to encourage states of Central Asia, Pakistan, or the South Caucasus to cooperate in expanding supply routes through their territory in support of operations in Afghanistan; and

(B) such limitation, procedure, or preference will not adversely affect—

(i) operations in Afghanistan; or

(ii) the United States industrial base.

(c) **PRODUCTS, SERVICES, AND SOURCES FROM CENTRAL ASIA, PAKISTAN, OR THE SOUTH CAUCASUS.**—For the purposes of this section:

(1) A product is from Central Asia, Pakistan, or the South Caucasus if it is mined, produced, or manufactured in Georgia, the Kyrgyz Republic, Pakistan, the Republic of Armenia, the Republic of Azerbaijan, the Republic of Kazakhstan, the Republic of Tajikistan, the Republic of Uzbekistan, or Turkmenistan.

(2) A service is from Central Asia, Pakistan, or the South Caucasus if it is performed in Georgia, the Kyrgyz Republic, Pakistan, the Republic of Armenia, the Republic of Azerbaijan, the Republic of Kazakhstan, the Republic of Tajikistan, the Republic of Uzbekistan, or

Turkmenistan by citizens or permanent resident aliens of Georgia, the Kyrgyz Republic, Pakistan, the Republic of Armenia, the Republic of Azerbaijan, the Republic of Kazakhstan, the Republic of Tajikistan, the Republic of Uzbekistan, or Turkmenistan.

(3) A source is from Central Asia, Pakistan, or the South Caucasus if it—

(A) is located in Georgia, the Kyrgyz Republic, Pakistan, the Republic of Armenia, the Republic of Azerbaijan, the Republic of Kazakhstan, the Republic of Tajikistan, the Republic of Uzbekistan, or Turkmenistan; and

(B) offers products or services that are from Georgia, the Kyrgyz Republic, Pakistan, the Republic of Armenia, the Republic of Azerbaijan, the Republic of Kazakhstan, the Republic of Tajikistan, the Republic of Uzbekistan, or Turkmenistan.

(d) **CONSTRUCTION WITH OTHER AUTHORITY.**—The authority in subsection (a) is in addition to the authority in section 886 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 266; 10 U.S.C. 2302 note).

(e) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—Not later than December 31 each year, the Secretary shall submit to Congress a report on the exercise of the authority in subsection (a) during the preceding fiscal year.

(2) **ELEMENTS.**—Each report under this subsection shall include, for the fiscal year covered by such report, the following:

(A) A statement of the number of occasions on which the Secretary made a determination under subsection (a) with respect to the exercise of the authority in subsection (a), regardless of whether or not the determination resulted in the exercise of such authority.

(B) The total amount of all procurements pursuant to the exercise of such authority, and the total amount of procurements for each country with respect to which such authority was exercised.

(C) A description and assessment of the extent to which procurements pursuant to the exercise of such authority furthered the national security interest of the United States.

(f) **SUNSET.**—The authority in subsection (a) shall expire on the date that is three years after the date of the enactment of this Act.

SEC. 832. SMALL ARMS PRODUCTION INDUSTRIAL BASE MATTERS.

(a) **AUTHORITY TO MODIFY DEFINITION OF “SMALL ARMS PRODUCTION INDUSTRIAL BASE”.**—Section 2473(c) of title 10, United States Code, is amended by inserting before the period at the end the following: “, and any subsequent modifications to such list of firms pursuant to a review by the Secretary of Defense”.

(b) **REVIEW OF SMALL ARMS PRODUCTION INDUSTRIAL BASE.**—

(1) **REVIEW.**—Not later than March 31, 2010, the Secretary of Defense shall review and determine, based upon manufacturing capability and capacity—

(A) whether any firms included in the small arms production industrial base (as that term is defined in section 2473(c) of title 10, United States Code) should be eliminated or modified and whether any additional firms should be included; and

(B) whether any of the small arms listed in section 2473(d) of title 10, United States Code, should be eliminated from the list or modified on the list, and whether any additional small arms should be included in the list.

(2) **REPORT.**—Not later than March 31, 2010, the Secretary of Defense shall submit to the congressional defense committees a report on the review conducted under this subsection, including any recommendations for changes to the list maintained pursuant to subsection (c) of section 2473(d) of title 10, United States Code, or the list under subsection (d) of such section.

SEC. 833. EXTENSION OF SBIR AND STTR PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) **SBIR EXTENSION.**—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) by striking “The authorization” and inserting the following:

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the authorization”; and

(2) by adding at the end the following:

“(2) **EXCEPTION FOR DEPARTMENT OF DEFENSE.**—The Secretary of Defense and the Secretary of each military department is authorized to carry out the Small Business Innovation Research Program of the Department of Defense until September 30, 2023.”.

(b) **STTR REAUTHORIZATION.**—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended—

(1) by striking “With respect” and inserting the following:

“(i) **FEDERAL AGENCIES GENERALLY.**—Except as provided in clause (i), with respect”; and

(2) by adding at the end the following:

“(ii) **DEPARTMENT OF DEFENSE.**—The Secretary of Defense and the Secretary of each military department shall carry out clause (i) with respect to each fiscal year through fiscal year 2023.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on July 30, 2009.

SEC. 834. EXPANSION AND PERMANENT AUTHORITY FOR SMALL BUSINESS INNOVATION RESEARCH COMMERCIALIZATION PROGRAM.

(a) **EXPANSION TO INCLUDE SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM.**—Section 9(y) of the Small Business Act (15 U.S.C. 638(y)) is amended in paragraphs (1), (2), and (4) by inserting “and the Small Business Technology Transfer Program” after “Small Business Innovation Research Program”.

(b) **PERMANENT AUTHORITY.**—

(1) **IN GENERAL.**—Such section is further amended by striking paragraph (6).

(2) **CONFORMING AMENDMENTS.**—Such section is further amended—

(A) in the subsection heading, by striking “PILOT”; and

(B) by striking “Pilot” each place it appears.

SEC. 835. MEASURES TO ENSURE THE SAFETY OF FACILITIES, INFRASTRUCTURE, AND EQUIPMENT FOR MILITARY OPERATIONS.

(a) **POLICY.**—It shall be the policy of the Department of Defense to incorporate generally accepted industry standards for the safety and health of personnel, to the maximum extent practicable, into requirements for facilities, infrastructure, and equipment that are intended for use by military or civilian personnel of the Department in current and future contingency operations.

(b) **CONTRACTS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing that actions that the Department of Defense has taken, or plans to take, to ensure that each contract or task or delivery order entered into for the construction, installation, repair, maintenance, or operation of facilities for use by military or civilian personnel of the Department in current and future contingency operations complies with the policy established in subsection (a).

(c) **GENERALLY ACCEPTED INDUSTRY STANDARDS FOR SAFETY.**—For the purposes of this section, generally accepted industry standards for the safety of personnel include—

(1) appropriate standards with respect to fire protection and structural integrity; and

(2) standards with respect to electrical systems, water treatment, and telecommunications networks.

SEC. 836. REPEAL OF REQUIREMENTS RELATING TO THE MILITARY SYSTEM ESSENTIAL ITEM BREAKOUT LIST.

Section 813 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1543) is repealed.

SEC. 837. DEFENSE SCIENCE BOARD REPORT ON RARE EARTH MATERIALS IN THE DEFENSE SUPPLY CHAIN.

(a) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Defense Science Board shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the usage of rare earth materials in the supply chain of the Department of Defense.

(b) **ELEMENTS.**—The report required by subsection (a) shall address, at a minimum, the following:

(1) The current and projected domestic and world-wide availability of rare earth materials for use by the Department of Defense in its weapon systems.

(2) The extent to which weapon systems acquired by the Department of Defense are currently dependent on, or are projected to become dependent on, rare earth materials supplied by sources that could be interrupted.

(3) The risk to national security, if any, of dependence on such sources for rare earth materials.

(4) Any steps that the Department of Defense has taken or is planning to take to address any such risk to national security.

(5) Such recommendations for further action to address the matters covered by the report as the Defense Science Board considers appropriate.

(c) **DEFINITIONS.**—In this section:

(1) The term “rare earth” means the chemical elements in the periodic table beginning with lanthanum and continuing to lutetium, and any associated elements.

(2) The term “rare earth material” includes rare earth ores, semi-finished rare earth products, and components containing rare earth materials.

SEC. 838. SMALL BUSINESS CONTRACTING PROGRAMS PARITY.

Section 31(b)(2)(B) of the Small Business Act (15 U.S.C. 657a(b)(2)(B)) is amended by striking “shall” and inserting “may”.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT
Subtitle A—Department of Defense Management

SEC. 901. DEPUTY UNDER SECRETARIES OF DEFENSE AND ASSISTANT SECRETARIES OF DEFENSE.

(a) **DEPUTY UNDER SECRETARIES OF DEFENSE.**—Chapter 4 of title 10, United States Code, is amended by adding after section 137 the following new section:

“§ 137a. Deputy Under Secretaries of Defense

“(a)(1) There are five Deputy Under Secretaries of Defense.

“(2)(A) The Deputy Under Secretaries of Defense referred to in paragraphs (1) through (3) of subsection (c) shall be appointed as provided in the applicable paragraph.

“(B) The Deputy Under Secretaries of Defense referred to in paragraphs (4) and (5) of subsection (c) shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.

“(3) The five Deputy Under Secretaries of Defense authorized by this section are the only Deputy Under Secretaries of Defense.

“(b) Each Deputy Under Secretary of Defense shall be the first assistant to an Under Secretary of Defense and shall assist such Under Secretary in the performance of the duties of the position of such Under Secretary and shall act for, and exercise the powers of, such Under Secretary when such Under Secretary is absent or disabled.

“(c)(1) One of the Deputy Under Secretaries is the Principal Deputy Under Secretary of De-

fense for Acquisition, Technology, and Logistics appointed pursuant to section 133a of this title.

“(2) One of the Deputy Under Secretaries is the Principal Deputy Under Secretary of Defense for Policy appointed pursuant to section 134a of this title.

“(3) One of the Deputy Under Secretaries is the Principal Deputy Under Secretary of Defense for Personnel and Readiness appointed pursuant to section 136a of this title.

“(4) One of the Deputy Under Secretaries shall be the Principal Deputy Under Secretary of Defense (Comptroller).

“(5) One of the Deputy Under Secretaries shall be the Principal Deputy Under Secretary of Defense for Intelligence.

“(d) The Deputy Under Secretaries of Defense take precedence in the Department of Defense after the Secretary of Defense, the Deputy Secretary of Defense, the Secretaries of the military departments, the Under Secretaries of Defense, and the Deputy Chief Management Officer of the Department of Defense.”.

(b) **ASSISTANT SECRETARIES OF DEFENSE.**—

(1) **REDESIGNATION OF DEPUTY UNDER SECRETARY FOR LOGISTICS AND MATERIEL READINESS AS ASSISTANT SECRETARY.**—Chapter 4 of such title is further amended—

(A) by transferring section 133b to appear after section 138 and redesignating such section, as so transferred, as section 133a; and

(B) in such section, as so transferred and redesignated, by striking “Deputy Under Secretary” each place it appears and inserting “Assistant Secretary”.

(2) **ADDITIONAL ASSISTANT SECRETARIES.**—Section 138 of such title is amended—

(A) by striking subsection (a) and inserting the following new subsection (a):

“(a)(1) There are 16 Assistant Secretaries of Defense.

“(2)(A) The Assistant Secretary of Defense referred to in subsection (b)(7) shall be appointed as provided in that subsection.

“(B) The other Assistant Secretaries of Defense shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.”; and

(B) in subsection (b), by adding the following new paragraphs:

“(6) One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Acquisition. The Assistant Secretary of Defense for Acquisition is the principal adviser to the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology, and Logistics on matters relating to acquisition.

“(7) One of the Assistant Secretaries is the Assistant Secretary of Defense for Logistics and Materiel Readiness appointed pursuant to section 138a of this title. In addition to any duties and powers prescribed under paragraph (1), the Assistant Secretary of Defense for Logistics and Materiel Readiness shall have the duties specified in section 138a of this title.

“(8) One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Installations and Environment. The Assistant Secretary of Defense for Installations and Environment is the principal adviser to the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology, and Logistics on matters relating to Department of Defense installations and environmental policy.

“(9) One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Manufacturing and Industrial Base. The Assistant Secretary of Defense for Manufacturing and Industrial Base is the principal adviser to the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology, and Logistics on policies relating to the defense industrial base, carrying out the requirements of chapter 148 of this title, and executing the authorities provided by the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.).

“(10) One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Read-

iness. The Assistant Secretary of Defense for Readiness is the principal adviser to the Secretary of Defense and the Under Secretary of Defense for Personnel and Readiness on matters relating to military readiness.

“(11) One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Strategy, Plans, and Forces. The Assistant Secretary of Defense for Strategy, Plans, and Forces is the principal adviser to the Secretary of Defense and the Under Secretary of Defense for Policy on matters relating to strategy, plans, and forces.”.

(c) **CONFORMING AND CLERICAL AMENDMENTS.**—

(1) **CONFORMING AMENDMENTS.**—

(A) Section 133a of such title is amended—

(i) by striking “Deputy Under Secretary of Defense for Acquisition and Technology” each place it appears and inserting “Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics”; and

(ii) by striking “duties relating to acquisition and technology” and inserting “duties”.

(B) Section 134a of such title is amended by striking “Deputy Under Secretary” each place it appears and inserting “Principal Deputy Under Secretary”.

(C) Section 134b of such title is repealed.

(D) Section 136a of such title is amended by striking “Deputy Under Secretary” each place it appears and inserting “Principal Deputy Under Secretary”.

(2) **SECTION HEADING AMENDMENTS.**—

(A) The heading of section 133a of such title is amended to read as follows:

“§ 133a. Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics”.

(B) The heading of section 134a of such title is amended to read as follows:

“§ 134a. Principal Deputy Under Secretary of Defense for Policy”.

(C) The heading of section 136a of such title is amended to read as follows:

“§ 136a. Principal Deputy Under Secretary of Defense for Personnel and Readiness”.

(D) The heading of section 138a of such title, as transferred and redesignated by subsection (b)(1) of this section, is amended to read as follows:

“§ 138a. Assistant Secretary of Defense for Logistics and Materiel Readiness”.

(3) **CLERICAL AMENDMENTS.**—The table of sections at the beginning of chapter 4 of such title is amended—

(A) by striking the item relating to section 133a and inserting the following new item:

“133a. Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics.”;

(B) by striking the items relating to sections 134a and 134b and inserting the following new item:

“134a. Principal Deputy Under Secretary of Defense for Policy.”;

(C) by striking the item relating to section 136a and inserting the following new item:

“136a. Principal Deputy Under Secretary of Defense for Personnel and Readiness.”;

(D) by inserting after the item relating to section 137 the following new item:

“137a. Deputy Under Secretaries of Defense.”; and

(E) by inserting after the item relating to section 138 the following new item:

“138a. Assistant Secretary of Defense for Logistics and Materiel Readiness.”.

(d) **EXECUTIVE SCHEDULE MATTERS.**—

(1) **LEVEL III.**—Section 5314 of title 5, United States Code, is amended by striking the item relating to the Deputy Under Secretary of Defense for Acquisition and Technology and inserting the following new item:

“Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics.”

(2) LEVEL IV.—Section 5315 of such title is amended—

(A) by striking the item relating to the Assistant Secretaries of Defense and inserting the following new item:

“Assistant Secretaries of Defense (16).”; and

(B) by striking the items relating to the Deputy Under Secretary of Defense for Policy, the Deputy Under Secretary of Defense for Personnel and Readiness, and the Deputy Under Secretary of Defense for Logistics and Materiel Readiness and inserting the following new items:

“Principal Deputy Under Secretary of Defense for Policy.

“Principal Deputy Under Secretary of Defense for Personnel and Readiness.

“Principal Deputy Under Secretary of Defense (Comptroller).

“Principal Deputy Under Secretary of Defense for Intelligence.”.

SEC. 902. REPEAL OF CERTAIN LIMITATIONS ON PERSONNEL AND CONSOLIDATION OF REPORTS ON MAJOR DEPARTMENT OF DEFENSE HEADQUARTERS ACTIVITIES.

(a) REPEAL OF CERTAIN LIMITATIONS ON PERSONNEL ASSIGNED TO MAJOR HEADQUARTERS ACTIVITIES.—

(1) REPEALS.—The following provisions of law are repealed:

(A) Section 143 of title 10, United States Code.

(B) Section 194 of such title.

(C) Sections 3014(f), 5014(f), and 8014(f) of such title.

(D) Section 601 of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (10 U.S.C. 194 note).

(2) CLERICAL AMENDMENTS.—

(A) The table of sections at the beginning of chapter 4 of title 10, United States Code, is amended by striking the item relating to section 143.

(B) The table of sections at the beginning of subchapter I of chapter 8 of such title is amended by striking the item relating to section 194.

(b) CONSOLIDATED ANNUAL REPORT.—

(1) INCLUSION IN ANNUAL DEFENSE MANPOWER REQUIREMENTS REPORT.—Section 115a of such title is amended by inserting after subsection (e) the following new subsection:

“(f) The Secretary shall also include in each such report the following information with respect to personnel assigned to or supporting major Department of Defense headquarters activities:

“(1) The military end strength and civilian full-time equivalents assigned to major Department of Defense headquarters activities for the preceding fiscal year and estimates of such numbers for the current fiscal year and the budget fiscal year.

“(2) A summary of the replacement during the preceding fiscal year of contract workyears providing support to major Department of Defense headquarters activities with military end strength or civilian full-time equivalents, including an estimate of the number associated with the replacement of contracts performing inherently governmental or exempt functions.

“(3) The plan for the continued review of contract personnel supporting major Department of Defense headquarters activities for possible conversion to military or civilian performance in accordance with section 2463 of this title.”.

(2) TECHNICAL AMENDMENTS TO REFLECT NAME OF REPORT.—

(A) Subsection (a) of such section is amended by inserting “defense” before “manpower requirements report”.

(B)(i) The heading of such section is amended to read as follows:

“§115a. Annual defense manpower requirements report”.

(ii) The item relating to such section in the table of sections at the beginning of chapter 2 of such title is amended to read as follows:

“115a. Annual defense manpower requirements report.”.

(3) CONFORMING REPEALS.—The following provisions of law are repealed:

(A) Subsections (b) and (c) of section 901 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 272).

(B) Section 1111 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4619).

SEC. 903. SENSE OF SENATE ON THE WESTERN HEMISPHERE INSTITUTE FOR SECURITY COOPERATION.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Western Hemisphere Institute for Security Cooperation was established by section 911 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–226).

(2) The Western Hemisphere Institute for Security Cooperation provides professional education and training to military personnel, law enforcement officials, and civilian personnel in support of the democratic principles set forth in the Charter of the Organization of American States. The Institute effectively promotes mutual knowledge, transparency, confidence, and cooperation among participating nations. It also effectively builds strategic partnerships to address the great security challenges in the region while encouraging democratic values, respect for human rights, subordination to civilian authority, and understanding of United States customs and traditions.

(3) The Western Hemisphere Institute for Security Cooperation supports the Security Cooperation Guidance of the Secretary of Defense by addressing the building partner capacity education and training needs of the United States Southern Command and the United States Northern Command.

(4) In a joint letter, dated April 9, 2009, General Renuart, the Commander of the United States Northern Command, and Admiral Stavridis, the Commander of the United States Southern Command, write “[t]he outstanding service that WHINSEC provides directly supports the United States Southern Command’s and United States Northern Command’s strategic objective of fostering lasting partnerships that will ensure security, enhance stability, and enable prosperity throughout the Americas” and notes that the Institute provides “culturally-sensitive training, with a strong emphasis on the values of democracy and human rights”.

(5) In establishing the Western Hemisphere Institute for Security Cooperation, Congress mandates that participants at the Institute receive a minimum of 8 hours of instruction on human rights, due process, the rule of law, the role of the Armed Forces in a democratic society, and civilian control of the military. Every course devotes at least 10 percent of its course work to democracy, ethics, and human rights issues. The Institute is also required to develop a curriculum that includes leadership development, counterdrug operations, peacekeeping, resource management, and disaster relief planning. In fiscal year 2008, the Institute presented 39 courses and hosted 1,196 students in residence at Fort Benning, Georgia, of whom 292 were police personnel, and trained an additional 280 students through the Mobile Training Team programs of the Institute.

(6) Congress mandated the formation of a Federal advisory committee—an oversight committee unique to the Western Hemisphere Institute for Security Cooperation. It provides recommendations and an independent review of the Institute and its curriculum to ensure the uniform adherence of the Institute to United States law, regulations, and policies. The Board of Visitors of the Institute includes the Chairman and Ranking Member of the Committee on Armed Services of the Senate, the Chairman and Ranking Mem-

ber of the Committee on Armed Services of the House of Representatives, the Secretary of State, the Commander of the United States Southern Command, the Commander of the United States Northern Command, the Commander of the United States Training and Doctrine Command, and six members designated by the Secretary of Defense. The six members designated by the Secretary of Defense include, to the extent practicable, individuals from academia and the religious and human rights communities. In addition to the 13 members of the Board of Visitors, advisors and subject matter experts assist the Board in areas the Board considers necessary and appropriate.

(7) The Western Hemisphere Institute for Security Cooperation operates in accordance with section 8130 of the Department of Defense Appropriations Act, 1999 (Public Law 105–262; 112 Stat. 2335) that prohibits United States military assistance to foreign military units that violate human rights, including security assistance programs funded through appropriations available for foreign operations and training programs funded through appropriations made available for the Department of Defense.

(8) The Western Hemisphere Institute for Security Cooperation does not select students for participation in its courses. A partner nation nominates students to attend the Institute, and in accordance with the law of the United States and the policies of the Department of Defense and the Department of State, the United States Embassy in such partner nation screens and conducts background checks on such nominees. The vetting process of nominees for participation in the Institute includes a background check by United States embassies in partner nations, as well as checks by the Bureau of Western Hemisphere Affairs and the Bureau of Democracy, Human Rights, and Labor at the Department of State. The Department of State also uses the Abuse Case Evaluation System, a central database that aggregates human rights abuse data into a single, searchable location, to ensure nominees have not been accused of any human rights abuses.

(9) The training provided by the Western Hemisphere Institute for Security Cooperation is transparent and the Institute is open to visitors at any time. Visitors are welcome to sit in on classes, talk with students and faculty, and review instructional materials. Every year, the Institute hosts more than a thousand visiting students, faculty, civilian, and military officials.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Western Hemisphere Institute for Security Cooperation—

(A) offers quality professional military bilingual instruction for military officers and non-commissioned officers that promotes democracy, subordination to civilian authority, and respect for human rights; and

(B) is uniquely positioned to support the modernization of Latin America security forces as they work to transcend their own controversial pasts;

(2) the Western Hemisphere Institute for Security Cooperation is building partner capacity which enhances regional and global security while encouraging respect for human rights and promoting democratic principles among eligible military personnel, law enforcement officials, and civilians of nations of the Western Hemisphere;

(3) the Western Hemisphere Institute for Security Cooperation is an invaluable education and training facility whose curriculum is not duplicated in any of the military departments and is not replaceable by professional military education funded by appropriations for International Military Education and Training (IMET), which education is not conducted in Spanish and does not concentrate on regional challenges; and

(4) the Western Hemisphere Institute for Security Cooperation is an essential tool to educate

future generations of Latin American leaders and improve United States relationships with partner nations that are working with the United States to promote democracy, prosperity, and stability in the Western Hemisphere.

SEC. 904. REESTABLISHMENT OF POSITION OF VICE CHIEF OF THE NATIONAL GUARD BUREAU.

(a) REESTABLISHMENT OF POSITION.—

(1) IN GENERAL.—Chapter 1011 of title 10, United States Code, is amended—

(A) by redesignating section 10505 as section 10505a; and

(B) by inserting after section 10504 the following new section 10505:

“§ 10505. Vice Chief of the National Guard Bureau

“(a) APPOINTMENT.—(1) There is a Vice Chief of the National Guard Bureau, selected by the Secretary of Defense from officers of the Army National Guard of the United States or the Air National Guard of the United States who—

“(A) are recommended for such appointment by their respective Governors or, in the case of the District of Columbia, the commanding general of the District of Columbia National Guard;

“(B) have had at least 10 years of federally recognized service in an active status in the National Guard; and

“(C) are in a grade above the grade of colonel.

“(2) The Chief and Vice Chief of the National Guard Bureau may not both be members of the Army or of the Air Force.

“(3)(A) Except as provided in subparagraph (B), an officer appointed as Vice Chief of the National Guard Bureau serves for a term of four years, but may be removed from office at any time for cause.

“(B) The term of the Vice Chief of the National Guard Bureau shall end within a reasonable time (as determined by the Secretary of Defense) following the appointment of a Chief of the National Guard Bureau who is a member of the same armed force as the Vice Chief.

“(b) DUTIES.—The Vice Chief of the National Guard Bureau performs such duties as may be prescribed by the Chief of the National Guard Bureau.

“(c) GRADE.—The Vice Chief of the National Guard Bureau shall be appointed to serve in a grade decided by the Secretary of Defense.

“(d) FUNCTIONS AS ACTING CHIEF.—When there is a vacancy in the office of the Chief of the National Guard Bureau or in the absence or disability of the Chief, the Vice Chief of the National Guard Bureau acts as Chief and performs the duties of the Chief until a successor is appointed or the absence or disability ceases.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1011 of such title is amended by striking the item relating to section 10505 and inserting the following new items:

“10505. Vice Chief of the National Guard Bureau.

“10505a. Director of the Joint Staff of the National Guard Bureau.”.

(b) CONFORMING AMENDMENT.—Section 10506(a)(1) of such title is amended by striking “and the Director of the Joint Staff of the National Guard Bureau” and inserting “, the Vice Chief of the National Guard Bureau, and the Director of the Joint Staff of the National Guard Bureau”.

Subtitle B—Space Matters

SEC. 911. PROVISION OF SPACE SITUATIONAL AWARENESS SERVICES AND INFORMATION TO NON-UNITED STATES GOVERNMENT ENTITIES.

(a) IN GENERAL.—Section 2274 of title 10, United States Code, is amended to read as follows:

“§ 2274. Space situational awareness services and information: provision to non-United States Government entities

“(a) AUTHORITY.—The Secretary of Defense may provide space situational awareness serv-

ices and information to, and may obtain space situational awareness data and information from, non-United States Government entities in accordance with this section. Any such action may be taken only if the Secretary determines that such action is consistent with the national security interests of the United States.

“(b) ELIGIBLE ENTITIES.—The Secretary may provide services and information under subsection (a) to, and may obtain data and information under subsection (a) from, any non-United States Government entity, including any of the following:

“(1) A State.

“(2) A political subdivision of a State.

“(3) A United States commercial entity.

“(4) The government of a foreign country.

“(5) A foreign commercial entity.

“(c) AGREEMENT.—The Secretary may not provide space situational awareness services and information under subsection (a) to a non-United States Government entity unless that entity enters into an agreement with the Secretary under which the entity—

“(1) agrees to pay an amount that may be charged by the Secretary under subsection (d);

“(2) agrees not to transfer any data or technical information received under the agreement, including the analysis of data, to any other entity without the express approval of the Secretary; and

“(3) agrees to any other terms and conditions considered necessary by the Secretary.

“(d) CHARGES.—(1) As a condition of an agreement under subsection (c), the Secretary may (except as provided in paragraph (2)) require the non-United States Government entity entering into the agreement to pay to the Department of Defense such amounts as the Secretary determines appropriate to reimburse the Department for the costs to the Department of providing space situational awareness services or information under the agreement.

“(2) The Secretary may not require the government of a State, or of a political subdivision of a State, to pay any amount under paragraph (1).

“(e) CREDITING OF FUNDS RECEIVED.—(1) Funds received for the provision of space situational awareness services or information pursuant to an agreement under this section shall be credited, at the election of the Secretary, to the following:

“(A) The appropriation, fund, or account used in incurring the obligation.

“(B) An appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made.

“(2) Funds credited under paragraph (1) shall be merged with, and remain available for obligation with, the funds in the appropriation, fund, or account to which credited.

“(f) PROCEDURES.—The Secretary shall establish procedures by which the authority under this section shall be carried out. As part of those procedures, the Secretary may allow space situational awareness services or information to be provided through a contractor of the Department of Defense.

“(g) NONDISCLOSURE.—Any information received under subsection (a), records of agreements entered into under subsection (c), and analyses or data provided as a part of the provision of services or information under this section shall be exempt from disclosure under section 552(b)(3) of title 5.

“(h) IMMUNITY.—The United States, any agencies and instrumentalities thereof, and any individuals, firms, corporations, and other persons acting for the United States, shall be immune from any suit in any court for any cause of action arising from the provision or receipt of space situational awareness services or information, whether or not provided in accordance with this section, or any related action or omission.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of such

title is amended by striking the item relating to section 2274 and inserting the following new item:

“2274. Space situational awareness services and information: provision to non-United States Government entities.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009, or the date of the enactment of this Act, whichever is later.

SEC. 912. PLAN FOR MANAGEMENT AND FUNDING OF NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM PROGRAM.

(a) IN GENERAL.—The Secretary of Defense, the Secretary of Commerce, and the Administrator of the National Aeronautics and Space Administration shall jointly develop a plan for the management and funding of the National Polar-Orbiting Operational Environmental Satellite System Program (in this section referred to as the “Program”) by the Department of Defense, the Department of Commerce, and the National Aeronautics and Space Administration.

(b) ELEMENTS.—The plan required under subsection (a) shall include the following:

(1) Requirements for the Program.

(2) The management structure of the Program.

(3) A funding profile for the Program for each year of the Program for the Department of Defense, the Department of Commerce, and the National Aeronautics and Space Administration.

(c) LIMITATION ON USE OF FUNDS.—Of the amounts authorized to be appropriated for fiscal year 2010 by section 201(a)(3) for research, development, test, and evaluation for the Air Force and available for the Program, not more than 50 percent of such amounts may be obligated or expended before the date on which the plan developed under subsection (a) is submitted to the congressional defense committees, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Energy and Commerce of the House of Representatives.

(d) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the National Polar-Orbiting Operational Environmental Satellite System Program, including the sensors, satellites, and orbits included in the Program, should be maintained;

(2) the National Polar-Orbiting Operational Environmental Satellite System preparatory project should be managed and treated as an operational satellite;

(3) the responsibility of Department of Defense milestone decision authority for the Program should be delegated to the Department of Defense Executive Agent for Space, and the Department of Defense Executive Agent for Space should become the member of the Tri-Agency Executive Committee from the Department of Defense;

(4) the Program Executive Office of the Program should report directly to and take direction exclusively from the Tri-Agency Executive Committee;

(5) the acquisition procedures of the Department of Defense should continue to be used in the Program;

(6) the Administrator of the National Aeronautics and Space Administration and the Secretary of the Air Force should make support from the Goddard Space Flight Center and the Space and Missile Systems Center, respectively, available for the Program, as needed;

(7) the budget for the Program should not be less than the estimate of the Cost Analysis Improvement Group of the Department of Defense for the Program;

(8) the Program should continue to be managed by a single program manager;

(9) the Program should be managed as a long-term operational program; and

(10) once all requirements for the Program are fully agreed to by the Secretary of Defense, the Secretary of Commerce, and the Administrator

of the National Aeronautics and Space Administration, the Program should be executed with no modifications to those requirements that would increase the cost, or extend the schedule, of the Program.

Subtitle C—Intelligence Matters

SEC. 921. INCLUSION OF DEFENSE INTELLIGENCE AGENCY IN AUTHORITY TO USE PROCEEDS FROM COUNTERINTELLIGENCE OPERATIONS.

(a) IN GENERAL.—Section 423 of title 10, United States Code, is amended by inserting “and the Defense Intelligence Agency” after “the military departments” each place it appears in subsections (a) and (c).

(b) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

“§ 423. Authority to use proceeds from counterintelligence operations of the military departments and the Defense Intelligence Agency.”

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 21 of such title is amended by striking the item relating to section 423 and inserting the following new item:

“423. Authority to use proceeds from counterintelligence operations of the military departments and the Defense Intelligence Agency.”.

Subtitle D—Other Matters

SEC. 931. UNITED STATES MILITARY CANCER INSTITUTE.

(a) ESTABLISHMENT.—Chapter 104 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2118. United States Military Cancer Institute

“(a) ESTABLISHMENT.—The Secretary of Defense shall establish in the University the United States Military Cancer Institute. The Institute shall be established pursuant to regulations prescribed by the Secretary.

“(b) PURPOSES.—The purposes of the Institute are as follows:

“(1) To establish and maintain a clearinghouse of data on the incidence and prevalence of cancer among members and former members of the armed forces.

“(2) To conduct research that contributes to the detection or treatment of cancer among the members and former members of the armed forces.

“(c) HEAD OF INSTITUTE.—The Director of the United States Military Cancer Institute is the head of the Institute. The Director shall report to the President of the University regarding matters relating to the Institute.

“(d) ELEMENTS.—(1) The Institute is composed of clinical and basic scientists in the Department of Defense who have an expertise in research, patient care, and education relating to oncology and who meet applicable criteria for affiliation with the Institute.

“(2) The components of the Institute include military treatment and research facilities that meet applicable criteria and are designated as affiliates of the Institute.

“(e) RESEARCH.—(1) The Director of the United States Military Cancer Institute shall carry out research studies on the following:

“(A) The epidemiological features of cancer, including assessments of the carcinogenic effect of genetic and environmental factors, and of disparities in health, inherent or common among populations of various ethnic origins within the members of the armed forces.

“(B) The prevention and early detection of cancer among members and former members of the armed forces.

“(C) Basic, translational, and clinical investigation matters relating to the matters described in subparagraphs (A) and (B).

“(2) The research studies under paragraph (1) shall include complementary research on oncologic nursing.

“(f) COLLABORATIVE RESEARCH.—The Director of the United States Military Cancer Institute shall carry out the research studies under subsection (e) in collaboration with other cancer research organizations and entities selected by the Institute for purposes of the research studies.

“(g) ANNUAL REPORT.—(1) Not later than November 1 each year, the Director of the United States Military Cancer Institute shall submit to the President of the University a report on the current status of the research studies being carried out by the Institute under subsection (e).

“(2) Not later than 60 days after receiving a report under paragraph (1), the President of the University shall transmit such report to the Secretary of Defense and to Congress.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 104 of such title is amended by adding at the end the following new item:

“2118. United States Military Cancer Institute.”.

SEC. 932. INSTRUCTION OF PRIVATE SECTOR EMPLOYEES IN CYBER SECURITY COURSES OF THE DEFENSE CYBER INVESTIGATIONS TRAINING ACADEMY.

(a) AUTHORITY TO RECEIVE INSTRUCTION.—

(1) IN GENERAL.—The Secretary of Defense may permit eligible private sector employees to enroll in and receive instruction at the Defense Cyber Investigations Training Academy operated under the direction of the Defense Cyber Crime Center.

(2) LIMITATION.—Not more than the equivalent of 200 full-time student positions at the Defense Cyber Investigations Training Academy may be filled at any one time by private sector employees enrolled under this section.

(3) CERTIFICATION.—Upon successful completion of a course of instruction at the Defense Cyber Investigations Training Academy under this section, a private sector employee may be awarded an appropriate certification or diploma.

(b) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—

(1) IN GENERAL.—For purposes of this section, an eligible private sector employee is an individual employed by a private entity, as determined by the Secretary—

(A) that is engaged in providing to the Department of Defense or other departments or agencies of the Federal Government significant and substantial defense-related systems, products, or services; or

(B) whose work product is relevant to national security policy or strategy.

(2) DURATION OF TREATMENT.—An individual is eligible for treatment as a private sector employee for purposes of this section only so long as the individual remains employed by a private entity described in paragraph (1).

(c) CURRICULA OPEN TO ENROLLEES.—The curricula of instruction for which eligible private sector employees may enroll at the Defense Cyber Investigations Training Academy under this section may only include curricula of instruction otherwise offered by the Academy that, as determined by the Secretary, are not readily available through other educational institutions.

(d) TUITION.—A private sector employee enrolled at the Defense Cyber Investigations Training Academy under this section shall be charged tuition at a rate equal to the rate charged for civilian employees of the Federal Government at the Academy.

(e) STANDARDS OF CONDUCT.—While receiving instruction at the Defense Cyber Investigations Training Academy under this section, private sector employees enrolled at the Academy under this section shall, to the extent practicable, be subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to civilian employees of the Federal Government receiving instruction at the Academy.

(f) USE OF FUNDS.—Notwithstanding section 3302 of title 31, United States Code, or any other

provision of law, amounts received by the Defense Cyber Investigations Training Academy for the instruction of private sector employees enrolled under this section shall be retained by the Academy to defray the costs of such instruction. The source and disposition of funds so retained and utilized shall be specifically identified in records of the Academy.

SEC. 933. PLAN ON ACCESS TO NATIONAL AIRSPACE FOR UNMANNED AIRCRAFT.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Transportation shall, after consultation with the Secretary of Homeland Security, jointly develop a plan for providing access to the national airspace for unmanned aircraft of the Department of Defense.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) A description of how the Department of Defense and the Department of Transportation will communicate and cooperate, at the executive, management, and action levels, to provide access to the national airspace for unmanned aircraft of the Department of Defense.

(2) Specific milestones, aligned to operational and training needs, for providing access to the national airspace for unmanned aircraft and a transition plan for sites programmed to be activated as unmanned aerial system sites during fiscal years 2010 through 2015.

(3) Recommendations for policies with respect to use of the national airspace, flight standards, and operating procedures that should be implemented by the Department of Defense and the Department of Transportation to accommodate unmanned aircraft assigned to any State or territory of the United States.

(4) An identification of resources required by the Department of Defense and the Department of Transportation to execute the plan.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Transportation shall submit to the congressional defense committees, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the plan required by subsection (a).

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2010 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed \$4,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for

the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a)

SEC. 1002. AUDIT READINESS OF FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) AUDIT READINESS OBJECTIVES.—It shall be the objective of the Department of Defense to ensure that—

(1) the financial statements of the Department of the Army are validated as ready for audit by not later than March 31, 2017;

(2) the financial statements of the Department of the Navy are validated as ready for audit by not later than March 31, 2016;

(3) the financial statements of the Department of the Air Force are validated as ready for audit by not later than September 30, 2017;

(4) the financial statements of the Defense Logistics Agency are validated as ready for audit by not later than September 30, 2017; and

(5) the financial statements of the Department of Defense are validated as ready for audit by not later than September 30, 2017.

(b) ADJUSTMENT OF DEADLINE FOR OBJECTIVES.—

(1) IN GENERAL.—In the event that the appropriate chief management officer determines that the Department of Defense, a military department, or the Defense Logistics Agency will be unable to meet the deadline for an objective as specified in subsection (a), the chief management officer may adjust the deadline for meeting such objective.

(2) REPORT.—Not later than 30 days after adjusting the deadline for an objective pursuant to paragraph (1), the chief management officer concerned shall submit to the congressional defense committees a report setting forth—

(A) a statement of the reasons why the Department of Defense, the military department, or the Defense Logistics Agency, as applicable, will be unable to meet the deadline for such objective;

(B) a proposed completion date for the achievement of compliance with such objective; and

(C) a description of the actions that have been taken and are planned to be taken by the Department of Defense, the military department, or the Defense Logistics Agency, as applicable, to meet such objective.

(3) APPROPRIATE CHIEF MANAGEMENT OFFICER.—For the purposes of this subsection, the appropriate chief management officer is as follows:

(A) For the objective in subsection (a)(1), the Chief Management Officer of the Army.

(B) For the objective in subsection (a)(2), the Chief Management Officer of the Navy.

(C) For the objective in subsection (a)(3), the Chief Management Officer of the Air Force.

(D) For the objective in subsection (a)(4), the Deputy Chief Management Officer of the Department of Defense.

(E) For the objective in subsection (a)(5), the Chief Management Officer of the Department of Defense.

(c) FINANCIAL IMPROVEMENT AUDIT READINESS PLAN.—

(1) IN GENERAL.—The Chief Management Officer of the Department of Defense shall, in consultation with the Under Secretary of Defense (Comptroller), develop and maintain a plan to be known as the “Financial Improvement and Audit Readiness Plan”.

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) describe specific actions to be taken to—

(i) correct financial management deficiencies that impair the ability of the Department of Defense to prepare timely, reliable, and complete financial management information; and

(ii) meet the objectives specified in subsection (a); and

(B) systematically tie the actions described under subparagraph (A) to process and control

improvements and business systems modernization efforts described in the business enterprise architecture and transition plan required by section 2222 of title 10, United States Code.

(d) SEMI-ANNUAL REPORTS ON FINANCIAL IMPROVEMENT AND AUDIT READINESS PLAN.—

(1) IN GENERAL.—Not later than May 15 and November 15 each year, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees a report on the status of the implementation by the Department of Defense of the Financial Improvement and Audit Readiness Plan required by subsection (c).

(2) ELEMENTS.—Each report under paragraph (1) shall include, at a minimum—

(A) an overview of the steps the Department has taken or plans to take to meet the objectives specified in subsection (a), including any interim objectives established by the Department for that purpose; and

(B) a description of any impediments identified in the efforts of the Department to meet such objectives, and of the actions the Department has taken or plans to take to address such impediments.

(3) ADDITIONAL ISSUES TO BE ADDRESSED IN FIRST REPORT.—The first report submitted under paragraph (1) after the date of the enactment of this Act shall address, in addition to the elements required by paragraph (2), the actions taken or to be taken by the Department as follows:

(A) To develop standardized guidance for financial improvement plans by components of the Department.

(B) To establish a baseline of financial management capabilities and weaknesses at the component level of the Department.

(C) To provide results-oriented metrics for measuring and reporting quantifiable results toward addressing financial management deficiencies.

(D) To define the oversight roles of the Chief Management Officer of the Department of Defense, the chief management officers of the military departments, and other appropriate elements of the Department to ensure that the requirements of the Financial Improvement and Audit Readiness Plan are carried out.

(E) To assign accountability for carrying out specific elements of the Financial Improvement and Audit Readiness Plan to appropriate officials and organizations at the component level of the Department.

(F) To develop mechanisms to track budgets and expenditures for the implementation of the requirements of the Financial Improvement and Audit Readiness Plan.

(e) RELATIONSHIP TO EXISTING LAW.—The requirements of this section shall be implemented in a manner that is consistent with the requirements of section 1008 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1204; 10 U.S.C. 2222 note).

Subtitle B—Naval Vessels and Shipyards

SEC. 1011. TEMPORARY REDUCTION IN MINIMUM NUMBER OF AIRCRAFT CARRIERS IN ACTIVE SERVICE.

Notwithstanding section 5062(b) of title 10, United States Code, during the period beginning on the date of the decommissioning of the U.S.S. Enterprise (CVN 65) and ending on the date of the commissioning into active service of the U.S.S. Gerald R. Ford (CVN 78), the number of operational aircraft carriers in the naval combat forces of the Navy may be 10.

SEC. 1012. REPEAL OF POLICY RELATING TO THE MAJOR COMBATANT VESSELS OF THE STRIKE FORCES OF THE UNITED STATES NAVY.

Section 1012 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 303) is repealed.

SEC. 1013. SENSE OF SENATE ON THE MAINTENANCE OF A 313-SHIP NAVY.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Department of the Navy has a stated requirement for a 313-ship fleet.

(2) The Navy can better meet this requirement—

(A) by procuring sufficient numbers of new ships; and

(B) by ensuring the sound material condition of existing ships that will enable the Navy to utilize them for their full planned service lives.

(3) When procuring new classes of ships, the Navy must exercise greater caution than it has exhibited to date in proceeding from one stage of the acquisition cycle to the next before a ship program has achieved a level of maturity that significantly lowers the risk of cost growth and schedule slippage.

(4) In retaining existing assets, the Navy can do a much better job of achieving the full planned service lives of ships and extending the service lives of certain ships so as to keep their unique capabilities in the fleet while the Navy takes the time necessary to develop and field next-generation capabilities under a low risk program.

(5) The Navy can undertake certain development approaches that can help the Navy control the total costs of ownership of a ship or class of ships, including emphasizing common hull designs, open architecture combat systems, and other common ship systems in order to achieve efficiency in acquiring and supporting various classes of ships.

(6) The Navy needs to continue its efforts toward achieving an open architecture for existing combat systems, as this will have great benefit in reducing the costs and risks of fielding new classes of ships, and will yield recurring savings from reducing the costs of buying later ships in a program and reducing life cycle support costs for ships and classes of ships.

(7) The Navy can also undertake other measures to acquire new ships and maintain the current fleet with greater efficiency, including—

(A) greater use of fixed-price contracts;

(B) maximizing competition (or the option of competition) throughout the life cycle of its ships;

(C) entering into multiyear contracts when warranted; and

(D) employing an incremental approach to developing new technologies.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Navy should meet its requirement for a 313-ship fleet;

(2) the Navy should take greater care to achieve the full planned service life of existing ships and reduce the incidence of early ship decommissioning;

(3) the Navy should exercise greater restraint on the acquisition process for ships in order to achieve on-time, on-cost shipbuilding programs; and

(4) Congress should support the Navy when it is acting responsibly to undertake measures that can help the Navy achieve the requirement for a 313-ship fleet and maintain a fleet that is adequate to meet the national security needs of the United States.

SEC. 1014. DESIGNATION OF U.S.S. CONSTITUTION AS AMERICA'S SHIP OF STATE.

(a) FINDINGS.—Congress makes the following findings:

(1) The 3rd Congress authorized, in the Act entitled “An Act to Provide a Naval Armament”, approved on March 27, 1794 (1 Stat. 350, Chap. XII), the construction of six frigates as the first ships to be built for the United States Navy.

(2) One of the six frigates was built in Boston between 1794 and 1797, and is the only one of the original six ships to survive.

(3) President George Washington named this frigate “Constitution” to represent the Nation’s founding document.

(4) President Thomas Jefferson, asserting the right of the United States to trade on the high seas, dispatched the frigate Constitution in 1803

as the flagship of the Mediterranean Squadron to end the depredations of the Barbary States against United States ships and shipping, which led to a treaty being signed with the Bashaw of Tripoli in the Captain's cabin aboard the frigate *Constitution* on June 4, 1805.

(5) The frigate *Constitution*, with her defeat of HMS *Guerriere*, secured the first major victory by the young United States Navy against the Royal Navy during the War of 1812, gaining in the process the nickname "Old Ironsides", which she has proudly carried since.

(6) Congress awarded gold medals to four of the ship's commanding officers (Preble, Hull, Stewart, and Bainbridge), a record unmatched by any other United States Navy vessel.

(7) The frigate *Constitution* emerged from the War of 1812 undefeated, having secured victories over three additional ships of the Royal Navy.

(8) As early as May 1815, the frigate *Constitution* had already been adopted as a symbol of the young Republic, as attested by the [Washington] National Intelligencer which proclaimed, "Let us keep 'Old Ironsides' at home. She has, literally become the Nation's Ship . . . and should thus be preserved . . . in honorable pomp, as a glorious Monument of her own, and our other Naval Victories."

(9) Rumors in 1830 that "Old Ironsides," an aging frigate, was about to be scrapped resulted in a public uproar demanding that the ship be restored and preserved, spurred by Oliver Wendell Holmes' immortal poem "Old Ironsides".

(10) "Old Ironsides" circumnavigated the world between 1844 and 1846, showing the American flag as she searched for future coaling stations that would eventually fuel the steam-powered navy of the United States.

(11) The first Pope to set foot on United States sovereign territory was Pius IX onboard the frigate *Constitution* in 1849.

(12) "Old Ironsides" helped evacuate the United States Naval Academy from Annapolis, Maryland, to Newport, Rhode Island, in 1860 to prevent this esteemed ship from falling into Confederate hands.

(13) Congressman John F. "Honey Fitz" Fitzgerald introduced legislation in 1896 to return "Old Ironsides" from the Portsmouth (New Hampshire) Naval Shipyard, where she was moored pier side and largely forgotten, to Boston for her 100th birthday.

(14) Thousands of school children contributed pennies between 1925 and 1927 to help fund a much needed restoration for "Old Ironsides".

(15) Between 1931 and 1934, more than 4,500,000 Americans gained inspiration, at the depth of the Great Depression, by going aboard "Old Ironsides" as she was towed to 76 ports on the Atlantic, Gulf, and Pacific coasts.

(16) The 83rd Congress enacted the Act of July 23, 1954 (68 Stat. 527, chapter 565), which directed the Secretary of the Navy to transfer to the States and appropriate commissions four other historic ships then on the Navy inventory, and to repair and equip U.S.S. *Constitution*, as much as practicable, to her original condition, but not for active service.

(17) Queen Elizabeth II paid a formal visit to U.S.S. *Constitution* in 1976, at the start of her state visit marking the Bicentennial of the United States.

(18) The U.S.S. *Constitution*, in celebration of her bicentennial, returned to sea under sail on July 21, 1997 for the first time since 1881, proudly setting sails purchased by the contributions of thousands of pennies given by school children across the United States.

(19) The U.S.S. *Constitution* is the oldest commissioned warship afloat in the world.

(20) The U.S.S. *Constitution* is a National Historic Landmark.

(21) The U.S.S. *Constitution* continues to perform official, ceremonial duties, including in recent years hosting a congressional dinner honoring the late Senator John Chafee of Rhode Island, a special salute for the dedication of the John Moakley Federal Courthouse, a luncheon

honoring British Ambassador Sir David Manning, and a special underway demonstration during which 60 Medal of Honor recipients each received a personal Medal of Honor flag.

(22) The U.S.S. *Constitution* celebrated on October 21, 2007, the 210th anniversary of her launching.

(23) The U.S.S. *Constitution* will remain a commissioned ship in the United States Navy, with the Navy retaining control of the ship, its material condition, and its employment.

(24) The U.S.S. *Constitution's* primary mission will remain education and public outreach, and any Ship of State functions will be an adjunct to the ship's primary mission.

(b) DESIGNATION AS AMERICA'S SHIP OF STATE.—

(1) IN GENERAL.—The U.S.S. *Constitution* is hereby designated as "America's Ship of State".

(2) REFERENCES.—The U.S.S. *Constitution* may be known or referred to as "America's Ship of State".

(3) SENSE OF CONGRESS.—It is the sense of Congress that the President, Vice President, executive branch officials, and members of Congress should utilize the U.S.S. *Constitution* for the conducting of pertinent matters of state, such as hosting visiting heads of state, signing legislation relating to the Armed Forces, and signing maritime related treaties.

(4) FEE OR REIMBURSEMENT STRUCTURE FOR NON-DEPARTMENT OF THE NAVY USE.—The Secretary of the Navy shall determine an appropriate fee or reimbursement structure for any non-Department of the Navy entities using the U.S.S. *Constitution* for Ship of State purposes.

Subtitle C—Counter-Drug Activities

SEC. 1021. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.

(a) EXTENSION OF AUTHORITY.—Subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1881), as amended by section 1021 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1593), section 1022 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2137), section 1022 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 304), and section 1024 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4587), is further amended by striking "2009" and inserting "2010".

(b) MAXIMUM ANNUAL AMOUNT OF SUPPORT.—Subsection (e)(2) of such section is amended—

(1) by striking "or" before "\$75,000,000"; and

(2) by striking the period at the end and inserting ", or \$100,000,000 during fiscal year 2010."

(c) CONDITIONS ON PROVISION OF SUPPORT.—Subsection (f)(2) of such section is amended in the matter preceding subparagraph (A) by striking "for fiscal year 2009 to carry out this section and the first fiscal year in which the support is to be provided" and inserting "and available for support".

(d) COUNTER-DRUG PLAN.—Subsection (h) of such section is amended—

(1) in the matter preceding paragraph (1), by striking "fiscal year 2009" and inserting "for each fiscal year"; and

(2) in paragraph (7), by striking "fiscal year 2009, and thereafter, for the first fiscal year in which support is to be provided" and inserting "each fiscal year in which support is to be provided a government".

SEC. 1022. ONE-YEAR EXTENSION OF AUTHORITY FOR JOINT TASK FORCES SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

(a) ONE-YEAR EXTENSION.—Subsection (b) of section 1022 of the National Defense Authoriza-

tion Act for Fiscal Year 2004 (10 U.S.C. 371 note) is amended by striking "2009" and inserting "2010".

(b) ANNUAL REPORT.—Subsection (c) of such section is amended to read as follows:

"(c) ANNUAL REPORT.—Not later than December 31 of each year after 2008 in which the authority in subsection (a) is in effect, the Secretary of Defense shall submit to the congressional defense committees a report setting forth, for the one-year period ending on the date of such report, the following:

"(1) An assessment of the effect on counter-drug and counter-terrorism activities and objectives of using counter-drug funds of a joint task force to provide counterterrorism support authorized by subsection (a).

"(2) A description of the type of support and any recipient of support provided under subsection (a).

"(3) A list of current joint task forces conducting counter-drug operations."

SEC. 1023. ONE-YEAR EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTER-DRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2042), as amended by section 1023 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2382) and section 1023 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4586), is further amended—

(1) in subsection (a)(1), by striking "2009" and inserting "2010"; and

(2) in subsection (c), by striking "2009" and inserting "2010".

Subtitle D—Military Commissions

SEC. 1031. MILITARY COMMISSIONS.

(a) IN GENERAL.—Chapter 47A of title 10, United States Code, is amended to read as follows:

"CHAPTER 47A—MILITARY COMMISSIONS

| | |
|----------------------------------------------------------------|---------|
| "SUBCHAPTER | Sec. |
| "I. General Provisions | 948a. |
| "II. Composition of Military Commissions | 948h. |
| "III. Pre-Trial Procedure | 948g. |
| "IV. Trial Procedure | 949a. |
| "V. Classified Information Procedures | 949p-1. |
| "VI. Sentences | 949s. |
| "VII. Post-Trial Procedures and Review of Military Commissions | 950a. |
| "VIII. Punitive Matters | 950p. |

"SUBCHAPTER I—GENERAL PROVISIONS

| | |
|-------------------------------------------------|--|
| "Sec. | |
| "948a. Definitions. | |
| "948b. Military commissions generally. | |
| "948c. Persons subject to military commissions. | |
| "948d. Jurisdiction of military commissions. | |

"§948a. Definitions

"In this chapter:

"(1) ALIEN.—The term 'alien' means an individual who is not a citizen of the United States.

"(2) CLASSIFIED INFORMATION.—The term 'classified information' means the following:

"(A) Any information or material that has been determined by the United States Government pursuant to statute, Executive order, or regulation to require protection against unauthorized disclosure for reasons of national security.

"(B) Any restricted data, as that term is defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

"(3) COALITION PARTNER.—The term 'coalition partner', with respect to hostilities engaged in by the United States, means any State or armed force directly engaged along with the United States in such hostilities or providing direct operational support to the United States in connection with such hostilities.

"(4) GENEVA CONVENTION RELATIVE TO THE TREATMENT OF PRISONERS OF WAR.—The term

'Geneva Convention Relative to the Treatment of Prisoners of War' means the Convention Relative to the Treatment of Prisoners of War, done at Geneva August 12, 1949 (6 UST 3316).

"(5) GENEVA CONVENTIONS.—The term 'Geneva Conventions' means the international conventions signed at Geneva on August 12, 1949.

"(6) PRIVILEGED BELLIGERENT.—The term 'privileged belligerent' means an individual belonging to one of the eight categories enumerated in Article 4 of the Geneva Convention Relative to the Treatment of Prisoners of War.

"(7) UNPRIVILEGED ENEMY BELLIGERENT.—The term 'unprivileged enemy belligerent' means an individual (other than a privileged belligerent) who—

"(A) has engaged in hostilities against the United States or its coalition partners;

"(B) has purposefully and materially supported hostilities against the United States or its coalition partners; or

"(C) is a member of al Qaeda.

"(8) NATIONAL SECURITY.—The term 'national security' means the national defense and foreign relations of the United States.

"§948b. Military commissions generally

"(a) PURPOSE.—This chapter establishes procedures governing the use of military commissions to try alien unprivileged enemy belligerents for violations of the law of war and other offenses triable by military commission.

"(b) AUTHORITY FOR MILITARY COMMISSIONS UNDER THIS CHAPTER.—The President is authorized to establish military commissions under this chapter for offenses triable by military commission as provided in this chapter.

"(c) CONSTRUCTION OF PROVISIONS.—The procedures for military commissions set forth in this chapter are based upon the procedures for trial by general courts-martial under chapter 47 of this title (the Uniform Code of Military Justice). Chapter 47 of this title does not, by its terms, apply to trial by military commission except as specifically provided therein or in this chapter, and many of the provisions of chapter 47 of this title are by their terms inapplicable to military commissions. The judicial construction and application of chapter 47 of this title, while instructive, is therefore not of its own force binding on military commissions established under this chapter.

"(d) INAPPLICABILITY OF CERTAIN PROVISIONS.—(1) The following provisions of this title shall not apply to trial by military commission under this chapter:

"(A) Section 810 (article 10 of the Uniform Code of Military Justice), relating to speedy trial, including any rule of courts-martial relating to speedy trial.

"(B) Sections 831(a), (b), and (d) (articles 31(a), (b), and (d) of the Uniform Code of Military Justice), relating to compulsory self-incrimination.

"(C) Section 832 (article 32 of the Uniform Code of Military Justice), relating to pretrial investigation.

"(2) Other provisions of chapter 47 of this title shall apply to trial by military commission under this chapter only to the extent provided by the terms of such provisions or by this chapter.

"(e) TREATMENT OF RULINGS AND PRECEDENTS.—The findings, holdings, interpretations, and other precedents of military commissions under this chapter may not be introduced or considered in any hearing, trial, or other proceeding of a court-martial convened under chapter 47 of this title. The findings, holdings, interpretations, and other precedents of military commissions under this chapter may not form the basis of any holding, decision, or other determination of a court-martial convened under this chapter.

"(f) GENEVA CONVENTIONS NOT ESTABLISHING PRIVATE RIGHT OF ACTION.—No alien unprivileged enemy belligerent subject to trial by military commission under this chapter may

invoke the Geneva Conventions as a basis for a private right of action.

"§948c. Persons subject to military commissions

"Any alien unprivileged enemy belligerent having engaged in hostilities or having supported hostilities against the United States is subject to trial by military commission as set forth in this chapter.

"§948d. Jurisdiction of military commissions

"A military commission under this chapter shall have jurisdiction to try persons subject to this chapter for any offense made punishable by this chapter, sections 904 and 906 of this title (articles 104 and 106 of the Uniform Code of Military Justice), or the law of war, and may, under such limitations as the President may prescribe, adjudge any punishment not forbidden by this chapter, including the penalty of death when specifically authorized under this chapter. A military commission is a competent tribunal to make a finding sufficient for jurisdiction.

"SUBCHAPTER II—COMPOSITION OF MILITARY COMMISSIONS

"Sec.

"948h. Who may convene military commissions.

"948i. Who may serve on military commissions.

"948j. Military judge of a military commission.

"948k. Detail of trial counsel and defense counsel.

"948l. Detail or employment of reporters and interpreters.

"948m. Number of members; excuse of members; absent and additional members.

"§948h. Who may convene military commissions

"Military commissions under this chapter may be convened by the Secretary of Defense or by any officer or official of the United States designated by the Secretary for that purpose.

"§948i. Who may serve on military commissions

"(a) IN GENERAL.—Any commissioned officer of the armed forces on active duty is eligible to serve on a military commission under this chapter, including commissioned officers of the reserve components of the armed forces on active duty, commissioned officers of the National Guard on active duty in Federal service, or retired commissioned officers recalled to active duty.

"(b) DETAIL OF MEMBERS.—When convening a military commission under this chapter, the convening authority shall detail as members thereof such members of the armed forces eligible under subsection (a) who, as in the opinion of the convening authority, are best qualified for the duty by reason of age, education, training, experience, length of service, and judicial temperament. No member of an armed force is eligible to serve as a member of a military commission when such member is the accuser or a witness for the prosecution or has acted as an investigator or counsel in the same case.

"(c) EXCUSE OF MEMBERS.—Before a military commission under this chapter is assembled for the trial of a case, the convening authority may excuse a member from participating in the case.

"§948j. Military judge of a military commission

"(a) DETAIL OF MILITARY JUDGE.—A military judge shall be detailed to each military commission under this chapter. The Secretary of Defense shall prescribe regulations providing for the manner in which military judges are so detailed to military commissions. The military judge shall preside over each military commission to which he has been detailed.

"(b) ELIGIBILITY.—A military judge shall be a commissioned officer of the armed forces who is a member of the bar of a Federal court, or a member of the bar of the highest court of a State, and who is certified to be qualified for duty under section 826 of this title (article 26 of

the Uniform Code of Military Justice) as a military judge in general courts-martial by the Judge Advocate General of the armed force of which such military judge is a member.

"(c) INELIGIBILITY OF CERTAIN INDIVIDUALS.—No person is eligible to act as military judge in a case of a military commission under this chapter if he is the accuser or a witness or has acted as investigator or a counsel in the same case.

"(d) CONSULTATION WITH MEMBERS; INELIGIBILITY TO VOTE.—A military judge detailed to a military commission under this chapter may not consult with the members except in the presence of the accused (except as otherwise provided in section 949d of this title), trial counsel, and defense counsel, nor may he vote with the members.

"(e) OTHER DUTIES.—A commissioned officer who is certified to be qualified for duty as a military judge of a military commission under this chapter may perform such other duties as are assigned to him by or with the approval of the Judge Advocate General of the armed force of which such officer is a member or the designee of such Judge Advocate General.

"(f) PROHIBITION ON EVALUATION OF FITNESS BY CONVENING AUTHORITY.—The convening authority of a military commission under this chapter shall not prepare or review any report concerning the effectiveness, fitness, or efficiency of a military judge detailed to the military commission which relates to his performance of duty as a military judge on the military commission.

"§948k. Detail of trial counsel and defense counsel

"(a) DETAIL OF COUNSEL GENERALLY.—(1) Trial counsel and military defense counsel shall be detailed for each military commission under this chapter.

"(2) Assistant trial counsel and assistant and associate defense counsel may be detailed for a military commission under this chapter.

"(3) Military defense counsel for a military commission under this chapter shall be detailed as soon as practicable.

"(4) The Secretary of Defense shall prescribe regulations providing for the manner in which trial counsel and military defense counsel are detailed for military commissions under this chapter and for the persons who are authorized to detail such counsel for such military commissions.

"(b) TRIAL COUNSEL.—Subject to subsection (e), trial counsel detailed for a military commission under this chapter must be—

"(1) a judge advocate (as that term is defined in section 801 of this title (article 1 of the Uniform Code of Military Justice)) who is—

"(A) a graduate of an accredited law school or is a member of the bar of a Federal court or of the highest court of a State; and

"(B) certified as competent to perform duties as trial counsel before general courts-martial by the Judge Advocate General of the armed force of which he is a member; or

"(2) a civilian who is—

"(A) a member of the bar of a Federal court or of the highest court of a State; and

"(B) otherwise qualified to practice before the military commission pursuant to regulations prescribed by the Secretary of Defense.

"(c) MILITARY DEFENSE COUNSEL.—Subject to subsection (e), military defense counsel detailed for a military commission under this chapter must be a judge advocate (as so defined) who is—

"(1) a graduate of an accredited law school or is a member of the bar of a Federal court or of the highest court of a State; and

"(2) certified as competent to perform duties as defense counsel before general courts-martial by the Judge Advocate General of the armed force of which he is a member.

"(d) CHIEF PROSECUTOR; CHIEF DEFENSE COUNSEL.—(1) The Chief Prosecutor in a military commission under this chapter shall meet the requirements set forth in subsection (b)(1).

“(2) The Chief Defense Counsel in a military commission under this chapter shall meet the requirements set forth in subsection (c)(1).

“(e) **INELIGIBILITY OF CERTAIN INDIVIDUALS.**—No person who has acted as an investigator, military judge, or member of a military commission under this chapter in any case may act later as trial counsel or military defense counsel in the same case. No person who has acted for the prosecution before a military commission under this chapter may act later in the same case for the defense, nor may any person who has acted for the defense before a military commission under this chapter act later in the same case for the prosecution.

“§948l. Detail or employment of reporters and interpreters

“(a) **COURT REPORTERS.**—Under such regulations as the Secretary of Defense may prescribe, the convening authority of a military commission under this chapter shall detail to or employ for the military commission qualified court reporters, who shall prepare a verbatim record of the proceedings of and testimony taken before the military commission.

“(b) **INTERPRETERS.**—Under such regulations as the Secretary of Defense may prescribe, the convening authority of a military commission under this chapter may detail to or employ for the military commission interpreters who shall interpret for the military commission, and, as necessary, for trial counsel and defense counsel for the military commission, and for the accused.

“(c) **TRANSCRIPT; RECORD.**—The transcript of a military commission under this chapter shall be under the control of the convening authority of the military commission, who shall also be responsible for preparing the record of the proceedings of the military commission.

“§948m. Number of members; excuse of members; absent and additional members

“(a) **NUMBER OF MEMBERS.**—(1) A military commission under this chapter shall, except as provided in paragraph (2), have at least five members.

“(2) In a case in which the accused before a military commission under this chapter may be sentenced to a penalty of death, the military commission shall have the number of members prescribed by section 949m(c) of this title.

“(b) **EXCUSE OF MEMBERS.**—No member of a military commission under this chapter may be absent or excused after the military commission has been assembled for the trial of a case unless excused—

“(1) as a result of challenge;

“(2) by the military judge for physical disability or other good cause; or

“(3) by order of the convening authority for good cause.

“(c) **ABSENT AND ADDITIONAL MEMBERS.**—Whenever a military commission under this chapter is reduced below the number of members required by subsection (a), the trial may not proceed unless the convening authority details new members sufficient to provide not less than such number. The trial may proceed with the new members present after the recorded evidence previously introduced before the members has been read to the military commission in the presence of the military judge, the accused (except as provided in section 949d of this title), and counsel for both sides.

“SUBCHAPTER III—PRE-TRIAL PROCEDURE

“Sec.

“948q. Charges and specifications.

“948r. Compulsory self-incrimination prohibited; statements obtained by torture or cruel, inhuman, or degrading treatment.

“948s. Service of charges.

“§948q. Charges and specifications

“(a) **CHARGES AND SPECIFICATIONS.**—Charges and specifications against an accused in a mili-

tary commission under this chapter shall be signed by a person subject to chapter 47 of this title under oath before a commissioned officer of the armed forces authorized to administer oaths and shall state—

“(1) that the signer has personal knowledge of, or reason to believe, the matters set forth therein; and

“(2) that they are true in fact to the best of his knowledge and belief.

“(b) **NOTICE TO ACCUSED.**—Upon the swearing of the charges and specifications in accordance with subsection (a), the accused shall be informed of the charges and specifications against him as soon as practicable.

“§948r. Compulsory self-incrimination prohibited; statements obtained by torture or cruel, inhuman, or degrading treatment

“(a) **IN GENERAL.**—No person shall be required to testify against himself at a proceeding of a military commission under this chapter.

“(b) **STATEMENTS OBTAINED BY TORTURE.**—A statement obtained by use of torture, whether or not under color of law, shall not be admissible in a trial by military commission under this chapter, except against a person accused of torture as evidence the statement was made.

“(c) **STATEMENTS OBTAINED THROUGH CRUEL, INHUMAN, OR DEGRADING TREATMENT.**—A statement in which the degree of coercion is disputed may be admissible in a trial by military commission under this chapter only if the military judge finds that—

“(1) the totality of the circumstances renders the statement reliable and possessing sufficient probative value;

“(2) the interests of justice would best be served by admission of the statement into evidence; and

“(3) the interrogation methods used to obtain the statement do not amount to cruel, inhuman, or degrading treatment prohibited by section 1003 of the Detainee Treatment Act of 2005 (42 U.S.C. 2000dd).

“§948s. Service of charges

“The trial counsel assigned to a case before a military commission under this chapter shall cause to be served upon the accused and military defense counsel a copy of the charges upon which trial is to be had in English and, if appropriate, in another language that the accused understands, sufficiently in advance of trial to prepare a defense.

“SUBCHAPTER IV—TRIAL PROCEDURE

“Sec.

“949a. Rules.

“949b. Unlawfully influencing action of military commission.

“949c. Duties of trial counsel and defense counsel.

“949d. Sessions.

“949e. Continuances.

“949f. Challenges.

“949g. Oaths.

“949h. Former jeopardy.

“949i. Pleas of the accused.

“949j. Opportunity to obtain witnesses and other evidence.

“949k. Defense of lack of mental responsibility.

“949l. Voting and rulings.

“949m. Number of votes required.

“949n. Military commission to announce action.

“949o. Record of trial.

“§949a. Rules

“(a) **PROCEDURES AND RULES OF EVIDENCE.**—Pretrial, trial, and post-trial procedures, including elements and modes of proof, for cases triable by military commission under this chapter may be prescribed by the Secretary of Defense. Such procedures may not be contrary to or inconsistent with this chapter. Except as otherwise provided in this chapter or chapter 47 of this title, the procedures and rules of evidence applicable in trials by general courts-martial of the United States shall apply in trials by military commission under this chapter.

“(b) **EXCEPTIONS.**—(1) The Secretary of Defense, in consultation with the Attorney General, may make such exceptions in the applicability in trials by military commission under this chapter from the procedures and rules of evidence otherwise applicable in general courts-martial as may be required by the unique circumstances of the conduct of military and intelligence operations during hostilities or by other practical need.

“(2) Notwithstanding any exceptions authorized by paragraph (1), the procedures and rules of evidence in trials by military commission under this chapter shall include, at a minimum, the following rights:

“(A) To present evidence in his defense, to cross-examine the witnesses who testify against him, and to examine and respond to all evidence admitted against him on the issue of guilt or innocence and for sentencing, as provided for by this chapter.

“(B) To be present at all sessions of the military commission (other than those for deliberations or voting), except when excluded under section 949d of this title.

“(C) To be represented before a military commission by civilian counsel if provided at no expense to the Government, and by either the defense counsel detailed or by military counsel of the accused's own selection, if reasonably available.

“(D) To self-representation, if the accused knowingly and competently waives the assistance of counsel, subject to the provisions of paragraph (4).

“(E) To the suppression of evidence that is not reliable or probative.

“(F) To the suppression of evidence the probative value of which is substantially outweighed by—

“(i) the danger of unfair prejudice, confusion of the issues, or misleading the members; or

“(ii) considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

“(3) In making exceptions in the applicability in trials by military commission under this chapter from the procedures and rules otherwise applicable in general courts-martial, the Secretary of Defense may provide the following:

“(A) Evidence seized outside the United States shall not be excluded from trial by military commission on the grounds that the evidence was not seized pursuant to a search warrant or authorization.

“(B) A statement of the accused that is otherwise admissible shall not be excluded from trial by military commission on grounds of alleged coercion or compulsory self-incrimination so long as the evidence complies with the provisions of section 948r of this title.

“(C) Evidence shall be admitted as authentic so long as—

“(i) the military judge of the military commission determines that there is sufficient evidence that the evidence is what it is claimed to be; and

“(ii) the military judge instructs the members that they may consider any issue as to authentication or identification of evidence in determining the weight, if any, to be given to the evidence.

“(D) Hearsay evidence not otherwise admissible under the rules of evidence applicable in trial by general courts-martial may be admitted in a trial by military commission only if—

“(i) the proponent of the evidence makes known to the adverse party, sufficiently in advance to provide the adverse party with a fair opportunity to meet the evidence, the proponent's intention to offer the evidence, and the particulars of the evidence (including information on the circumstances under which the evidence was obtained); and

“(ii) the military judge, after taking into account all of the circumstances surrounding the taking of the statement, the degree to which the statement is corroborated, and the indicia of reliability within the statement itself, determines that—

“(I) the statement is offered as evidence of a material fact;

“(II) either—

“(aa) direct testimony from the witness is not available as a practical matter, taking into consideration the physical location of the witness and the unique circumstances of the conduct of military and intelligence operations during hostilities; or

“(bb) the production of the witness would have an adverse impact on military or intelligence operations; and

“(III) the general purposes of the rules of evidence and the interests of justice will best be served by admission of the statement into evidence.

“(4)(A) The accused in a military commission under this chapter who exercises the right to self-representation under paragraph (2)(D) shall conform his deportment and the conduct of the defense to the rules of evidence, procedure, and decorum applicable to trials by military commission.

“(B) Failure of the accused to conform to the rules described in subparagraph (A) may result in a partial or total revocation by the military judge of the right of self-representation under paragraph (2)(D). In such case, the military counsel of the accused or an appropriately authorized civilian counsel shall perform the functions necessary for the defense.

“(c) DELEGATION OF AUTHORITY TO PRESCRIBE REGULATIONS.—The Secretary of Defense may delegate the authority of the Secretary to prescribe regulations under this chapter.

“§949b. Unlawfully influencing action of military commission

“(a) IN GENERAL.—(1) No authority convening a military commission under this chapter may censure, reprimand, or admonish the military commission, or any member, military judge, or counsel thereof, with respect to the findings or sentence adjudged by the military commission, or with respect to any other exercises of its or their functions in the conduct of the proceedings.

“(2) No person may attempt to coerce or, by any unauthorized means, influence—

“(A) the action of a military commission under this chapter, or any member thereof, in reaching the findings or sentence in any case;

“(B) the action of any convening, approving, or reviewing authority with respect to their judicial acts; or

“(C) the exercise of professional judgment by trial counsel or defense counsel.

“(3) The provisions of this subsection shall not apply with respect to—

“(A) general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of military commissions; or

“(B) statements and instructions given in open proceedings by a military judge or counsel.

“(b) PROHIBITION ON CONSIDERATION OF ACTIONS ON COMMISSION IN EVALUATION OF FITNESS.—In the preparation of an effectiveness, fitness, or efficiency report or any other report or document used in whole or in part for the purpose of determining whether a commissioned officer of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of any such officer or whether any such officer should be retained on active duty, no person may—

“(1) consider or evaluate the performance of duty of any member of a military commission under this chapter; or

“(2) give a less favorable rating or evaluation to any commissioned officer because of the zeal with which such officer, in acting as counsel, represented any accused before a military commission under this chapter.

“§949c. Duties of trial counsel and defense counsel

“(a) TRIAL COUNSEL.—The trial counsel of a military commission under this chapter shall prosecute in the name of the United States.

“(b) DEFENSE COUNSEL.—(1) The accused shall be represented in his defense before a military commission under this chapter as provided in this subsection.

“(2) The accused may be represented by military counsel detailed under section 948k of this title or by military counsel of the accused's own selection, if reasonably available.

“(3) The accused may be represented by civilian counsel if retained by the accused, provided that such civilian counsel—

“(A) is a United States citizen;

“(B) is admitted to the practice of law in a State, district, or possession of the United States, or before a Federal court;

“(C) has not been the subject of any sanction of disciplinary action by any court, bar, or other competent governmental authority for relevant misconduct;

“(D) has been determined to be eligible for access to information classified at the level Secret or higher; and

“(E) has signed a written agreement to comply with all applicable regulations or instructions for counsel, including any rules of court for conduct during the proceedings.

“(4) If the accused is represented by civilian counsel, military counsel shall act as associate counsel.

“(5) The accused is not entitled to be represented by more than one military counsel. However, the person authorized under regulations prescribed under section 948k of this title to detail counsel, in such person's sole discretion, may detail additional military counsel to represent the accused.

“(6) Defense counsel may cross-examine each witness for the prosecution who testifies before a military commission under this chapter.

“(7) Civilian defense counsel shall protect any classified information received during the course of representation of the accused in accordance with all applicable law governing the protection of classified information, and may not divulge such information to any person not authorized to receive it.

“§949d. Sessions

“(a) SESSIONS WITHOUT PRESENCE OF MEMBERS.—(1) At any time after the service of charges which have been referred for trial by military commission under this chapter, the military judge may call the military commission into session without the presence of the members for the purpose of—

“(A) hearing and determining motions raising defenses or objections which are capable of determination without trial of the issues raised by a plea of not guilty;

“(B) hearing and ruling upon any matter which may be ruled upon by the military judge under this chapter, whether or not the matter is appropriate for later consideration or decision by the members;

“(C) if permitted by regulations prescribed by the Secretary of Defense, receiving the pleas of the accused; and

“(D) performing any other procedural function which may be performed by the military judge under this chapter or under rules prescribed pursuant to section 949a of this title and which does not require the presence of the members.

“(2) Except as provided in subsections (b), (c), and (d), any proceedings under paragraph (1) shall be conducted in the presence of the accused, defense counsel, and trial counsel, and shall be made part of the record.

“(b) DELIBERATION OR VOTE OF MEMBERS.—When the members of a military commission under this chapter deliberate or vote, only the members may be present.

“(c) CLOSURE OF PROCEEDINGS.—(1) The military judge may close to the public all or part of the proceedings of a military commission under this chapter.

“(2) The military judge may close to the public all or a portion of the proceedings under para-

graph (1) only upon making a specific finding that such closure is necessary to—

“(A) protect information the disclosure of which could reasonably be expected to cause damage to the national security, including intelligence or law enforcement sources, methods, or activities; or

“(B) ensure the physical safety of individuals.

“(3) A finding under paragraph (2) may be based upon a presentation, including a presentation ex parte or in camera, by either trial counsel or defense counsel.

“(d) EXCLUSION OF ACCUSED FROM CERTAIN PROCEEDINGS.—The military judge may exclude the accused from any portion of a proceeding upon a determination that, after being warned by the military judge, the accused persists in conduct that justifies exclusion from the courtroom—

“(1) to ensure the physical safety of individuals; or

“(2) to prevent disruption of the proceedings by the accused.

“§949e. Continuances

“The military judge in a military commission under this chapter may, for reasonable cause, grant a continuance to any party for such time, and as often, as may appear to be just.

“§949f. Challenges

“(a) CHALLENGES AUTHORIZED.—The military judge and members of a military commission under this chapter may be challenged by the accused or trial counsel for cause stated to the military commission. The military judge shall determine the relevance and validity of challenges for cause, and may not receive a challenge to more than one person at a time. Challenges by trial counsel shall ordinarily be presented and decided before those by the accused are offered.

“(b) PEREMPTORY CHALLENGES.—The accused and trial counsel are each entitled to one peremptory challenge, but the military judge may not be challenged except for cause.

“(c) CHALLENGES AGAINST ADDITIONAL MEMBERS.—Whenever additional members are detailed to a military commission under this chapter, and after any challenges for cause against such additional members are presented and decided, the accused and trial counsel are each entitled to one peremptory challenge against members not previously subject to peremptory challenge.

“§949g. Oaths

“(a) IN GENERAL.—(1) Before performing their respective duties in a military commission under this chapter, military judges, members, trial counsel, defense counsel, reporters, and interpreters shall take an oath to perform their duties faithfully.

“(2) The form of the oath required by paragraph (1), the time and place of the taking thereof, the manner of recording thereof, and whether the oath shall be taken for all cases in which duties are to be performed or for a particular case, shall be as provided in regulations prescribed by the Secretary of Defense. The regulations may provide that—

“(A) an oath to perform faithfully duties as a military judge, trial counsel, or defense counsel may be taken at any time by any judge advocate or other person certified to be qualified or competent for the duty; and

“(B) if such an oath is taken, such oath need not again be taken at the time the judge advocate or other person is detailed to that duty.

“(b) WITNESSES.—Each witness before a military commission under this chapter shall be examined on oath.

“(c) OATH DEFINED.—In this section, the term ‘oath’ includes an affirmation.

“§949h. Former jeopardy

“(a) IN GENERAL.—No person may, without his consent, be tried by a military commission under this chapter a second time for the same offense.

“(b) **SCOPE OF TRIAL.**—No proceeding in which the accused has been found guilty by military commission under this chapter upon any charge or specification is a trial in the sense of this section until the finding of guilty has become final after review of the case has been fully completed.

“§949i. Pleas of the accused

“(a) **PLEA OF NOT GUILTY.**—If an accused in a military commission under this chapter after a plea of guilty sets up matter inconsistent with the plea, or if it appears that the accused has entered the plea of guilty through lack of understanding of its meaning and effect, or if the accused fails or refuses to plead, a plea of not guilty shall be entered in the record, and the military commission shall proceed as though the accused had pleaded not guilty.

“(b) **FINDING OF GUILT AFTER GUILTY PLEA.**—With respect to any charge or specification to which a plea of guilty has been made by the accused in a military commission under this chapter and accepted by the military judge, a finding of guilty of the charge or specification may be entered immediately without a vote. The finding shall constitute the finding of the military commission unless the plea of guilty is withdrawn prior to announcement of the sentence, in which event the proceedings shall continue as though the accused had pleaded not guilty.

“§949j. Opportunity to obtain witnesses and other evidence

“(a) **IN GENERAL.**—(1) Defense counsel in a military commission under this chapter shall have a reasonable opportunity to obtain witnesses and other evidence as provided in regulations prescribed by the Secretary of Defense.

“(2) Process issued in military commissions under this chapter to compel witnesses to appear and testify and to compel the production of other evidence—

“(A) shall be similar to that which courts of the United States having criminal jurisdiction may lawfully issue; and

“(B) shall run to any place where the United States shall have jurisdiction thereof.

“(b) **DISCLOSURE OF EXCULPATORY EVIDENCE.**—(1) As soon as practicable, trial counsel in a military commission under this chapter shall disclose to the defense the existence of any evidence that reasonably tends to—

“(A) negate the guilt of the accused of an offense charged; or

“(B) reduce the degree of guilt of the accused with respect to an offense charged.

“(2) The trial counsel shall, as soon as practicable, disclose to the defense the existence of evidence that reasonably tends to impeach the credibility of a witness whom the government intends to call at trial.

“(3) The trial counsel shall, as soon as practicable upon a finding of guilt, disclose to the defense the existence of evidence that is not subject to paragraph (1) or paragraph (2) but that reasonably may be viewed as mitigation evidence at sentencing.

“(4) The disclosure obligations under this subsection encompass evidence that is known or reasonably should be known to any government officials who participated in the investigation and prosecution of the case against the defendant.

“§949k. Defense of lack of mental responsibility

“(a) **AFFIRMATIVE DEFENSE.**—It is an affirmative defense in a trial by military commission under this chapter that, at the time of the commission of the acts constituting the offense, the accused, as a result of a severe mental disease or defect, was unable to appreciate the nature and quality or the wrongfulness of the acts. Mental disease or defect does not otherwise constitute a defense.

“(b) **BURDEN OF PROOF.**—The accused in a military commission under this chapter has the burden of proving the defense of lack of mental responsibility by clear and convincing evidence.

“(c) **FINDINGS FOLLOWING ASSERTION OF DEFENSE.**—Whenever lack of mental responsibility of the accused with respect to an offense is properly at issue in a military commission under this chapter, the military judge shall instruct the members as to the defense of lack of mental responsibility under this section and shall charge the members to find the accused—

“(1) guilty;

“(2) not guilty; or

“(3) subject to subsection (d), not guilty by reason of lack of mental responsibility.

“(d) **MAJORITY VOTE REQUIRED FOR FINDING.**—The accused shall be found not guilty by reason of lack of mental responsibility under subsection (c)(3) only if a majority of the members present at the time the vote is taken determines that the defense of lack of mental responsibility has been established.

“§949l. Voting and rulings

“(a) **VOTE BY SECRET WRITTEN BALLOT.**—Voting by members of a military commission under this chapter on the findings and on the sentence shall be by secret written ballot.

“(b) **RULINGS.**—(1) The military judge in a military commission under this chapter shall rule upon all questions of law, including the admissibility of evidence and all interlocutory questions arising during the proceedings.

“(2) Any ruling made by the military judge upon a question of law or an interlocutory question (other than the factual issue of mental responsibility of the accused) is conclusive and constitutes the ruling of the military commission. However, a military judge may change his ruling at any time during the trial.

“(c) **INSTRUCTIONS PRIOR TO VOTE.**—Before a vote is taken of the findings of a military commission under this chapter, the military judge shall, in the presence of the accused and counsel, instruct the members as to the elements of the offense and charge the members—

“(1) that the accused must be presumed to be innocent until his guilt is established by legal and competent evidence beyond a reasonable doubt;

“(2) that in the case being considered, if there is a reasonable doubt as to the guilt of the accused, the doubt must be resolved in favor of the accused and he must be acquitted;

“(3) that, if there is reasonable doubt as to the degree of guilt, the finding must be in a lower degree as to which there is no reasonable doubt; and

“(4) that the burden of proof to establish the guilt of the accused beyond a reasonable doubt is upon the United States.

“§949m. Number of votes required

“(a) **CONVICTION.**—No person may be convicted by a military commission under this chapter of any offense, except as provided in section 949i(b) of this title or by concurrence of two-thirds of the members present at the time the vote is taken.

“(b) **SENTENCES.**—(1) Except as provided in paragraphs (2) and (3), sentences shall be determined by a military commission by the concurrence of two-thirds of the members present at the time the vote is taken.

“(2) No person may be sentenced to death by a military commission, except insofar as—

“(A) the penalty of death has been expressly authorized under this chapter, chapter 47 of this title, or the law of war for an offense of which the accused has been found guilty;

“(B) trial counsel expressly sought the penalty of death by filing an appropriate notice in advance of trial;

“(C) the accused was convicted of the offense by the concurrence of all the members present at the time the vote is taken; and

“(D) all members present at the time the vote was taken concurred in the sentence of death.

“(3) No person may be sentenced to life imprisonment, or to confinement for more than 10 years, by a military commission under this chapter except by the concurrence of three-

fourths of the members present at the time the vote is taken.

“(c) **NUMBER OF MEMBERS REQUIRED FOR PENALTY OF DEATH.**—(1) Except as provided in paragraph (2), in a case in which the penalty of death is sought, the number of members of the military commission under this chapter shall be not less than 12 members.

“(2) In any case described in paragraph (1) in which 12 members are not reasonably available for a military commission because of physical conditions or military exigencies, the convening authority shall specify a lesser number of members for the military commission (but not fewer than 5 members), and the military commission may be assembled, and the trial held, with not less than the number of members so specified. In any such case, the convening authority shall make a detailed written statement, to be appended to the record, stating why a greater number of members were not reasonably available.

“§949n. Military commission to announce action

“A military commission under this chapter shall announce its findings and sentence to the parties as soon as determined.

“§949o. Record of trial

“(a) **RECORD; AUTHENTICATION.**—Each military commission under this chapter shall keep a separate, verbatim, record of the proceedings in each case brought before it, and the record shall be authenticated by the signature of the military judge. If the record cannot be authenticated by the military judge by reason of his death, disability, or absence, it shall be authenticated by the signature of the trial counsel or by a member if the trial counsel is unable to authenticate it by reason of his death, disability, or absence. Where appropriate, and as provided in regulations prescribed by the Secretary of Defense, the record of a military commission under this chapter may contain a classified annex.

“(b) **COMPLETE RECORD REQUIRED.**—A complete record of the proceedings and testimony shall be prepared in every military commission under this chapter.

“(c) **PROVISION OF COPY TO ACCUSED.**—A copy of the record of the proceedings of the military commission under this chapter shall be given the accused as soon as it is authenticated. If the record contains classified information, or a classified annex, the accused shall receive a redacted version of the record consistent with the requirements of section 949d(c)(4) of this title. Defense counsel shall have access to the unredacted record, as provided in regulations prescribed by the Secretary of Defense.

“SUBCHAPTER V—CLASSIFIED INFORMATION PROCEDURES

“Sec.

“949p-1. Protection of classified information: applicability of subchapter.

“949p-2. Pretrial conference.

“949p-3. Protective orders.

“949p-4. Discovery of, and access to, classified information by the accused.

“949p-5. Notice by accused of intention to disclose classified information.

“949p-6. Procedure for cases involving classified information.

“949p-7. Introduction of classified information into evidence.

“§949p-1. Protection of classified information: applicability of subchapter

“(a) **PROTECTION OF CLASSIFIED INFORMATION.**—Classified information shall be protected and is privileged from disclosure if disclosure would be detrimental to the national security. Under no circumstances may a military judge order the release of classified information to any person not authorized to receive such information.

“(b) **ACCESS TO EVIDENCE.**—Any information admitted into evidence pursuant to any rule, procedure, or order by the military judge shall be provided to the accused.

“(c) **DECLASSIFICATION.**—Trial counsel shall work with the original classification authorities for evidence that may be used at trial to ensure that such evidence is declassified to the maximum extent possible, consistent with the requirements of national security. A decision not to declassify evidence under this section shall not be subject to review by a military commission or upon appeal.

“(d) **CONSTRUCTION OF PROVISIONS.**—The judicial construction of the Classified Information Procedures Act (18 U.S.C. App.) shall be authoritative in the interpretation of this subchapter, except to the extent that such construction is inconsistent with the specific requirements of this chapter.

“§949p-2. Pretrial conference

“(a) **MOTION.**—At any time after service of charges, any party may move for a pretrial conference to consider matters relating to classified information that may arise in connection with the prosecution.

“(b) **CONFERENCE.**—Following a motion under subsection (a), or sua sponte, the military judge shall promptly hold a pretrial conference. Upon request by either party, the court shall hold such conference ex parte to the extent necessary to protect classified information from disclosure, in accordance with the practice of the Federal courts under the Classified Information Procedures Act (18 U.S.C. App.).

“(c) **MATTERS TO BE ESTABLISHED AT PRETRIAL CONFERENCE.**—

“(1) **TIMING OF SUBSEQUENT ACTIONS.**—At the pretrial conference, the military judge shall establish the timing of—

“(A) requests for discovery;

“(B) the provision of notice required by section 949p-5 of this title; and

“(C) the initiation of the procedure established by section 949p-6 of this title.

“(2) **OTHER MATTERS.**—At the pretrial conference, the military judge may also consider any matter—

“(A) which relates to classified information; or

“(B) which may promote a fair and expeditious trial.

“(d) **EFFECT OF ADMISSIONS BY ACCUSED AT PRETRIAL CONFERENCE.**—No admission made by the accused or by any counsel for the accused at a pretrial conference under this section may be used against the accused unless the admission is in writing and is signed by the accused and by the counsel for the accused.

“§949p-3. Protective orders

“Upon motion of the trial counsel, the military judge shall issue an order to protect against the disclosure of any classified information that has been disclosed by the United States to any accused in any military commission under this chapter or that has otherwise been provided to, or obtained by, any such accused in any such military commission.

“§949p-4. Discovery of, and access to, classified information by the accused

“(a) **LIMITATIONS ON DISCOVERY OR ACCESS BY THE ACCUSED.**—

“(1) **DECLARATIONS BY THE UNITED STATES OF DAMAGE TO NATIONAL SECURITY.**—In any case before a military commission in which the United States seeks to delete, withhold, or otherwise obtain other relief with respect to the discovery of or access to any classified information, the trial counsel shall submit a declaration invoking the United States’ classified information privilege and setting forth the damage to the national security that the discovery of or access to such information reasonably could be expected to cause. The declaration shall be signed by a knowledgeable United States official possessing authority to classify information.

“(2) **STANDARD FOR AUTHORIZATION OF DISCOVERY OR ACCESS.**—Upon the submission of a declaration under paragraph (1), the military judge shall not authorize the discovery of or ac-

cess to such classified information unless the military judge determines that such classified information would be noncumulative, relevant, and helpful to a legally cognizable defense, rebuttal of the prosecution’s case, or to sentencing, in accordance with standards generally applicable to discovery of or access to classified information in Federal criminal cases. If the discovery of or access to such classified information is authorized, it shall be addressed in accordance with the requirements of subsection (b).

“(b) **DISCOVERY OF CLASSIFIED INFORMATION.**—

“(1) **SUBSTITUTIONS AND OTHER RELIEF.**—The military judge, in assessing the accused’s discovery of or access to classified information under this section, may authorize the United States—

“(A) to delete or withhold specified items of classified information;

“(B) to substitute a summary for classified information; or

“(C) to substitute a statement admitting relevant facts that the classified information or material would tend to prove.

“(2) **EX PARTE PRESENTATIONS.**—The military judge shall permit the trial counsel to make a request for an authorization under paragraph (1) in the form of an ex parte presentation to the extent necessary to protect classified information, in accordance with the practice of the Federal courts under the Classified Information Procedures Act (18 U.S.C. App.). If the military judge enters an order granting relief following such an ex parte showing, the entire text of the written submission shall be sealed and preserved in the records of the military commission to be made available to the appellate court in the event of an appeal.

“(3) **ACTION BY MILITARY JUDGE.**—The military judge shall grant the request of the trial counsel to substitute a summary or to substitute a statement admitting relevant facts, or to provide other relief in accordance with paragraph (1), if the military judge finds that the summary, statement, or other relief would provide the accused with substantially the same ability to make a defense as would discovery of or access to the specific classified information.

“(c) **RECONSIDERATION.**—An order of a military judge authorizing a request of the trial counsel to substitute, summarize, withhold, or prevent access to classified information under this section is not subject to a motion for reconsideration by the accused, if such order was entered pursuant to an ex parte showing under this section.

“§949p-5. Notice by accused of intention to disclose classified information

“(a) **NOTICE BY ACCUSED.**—

“(1) **NOTIFICATION OF TRIAL COUNSEL AND MILITARY JUDGE.**—If an accused reasonably expects to disclose, or to cause the disclosure of, classified information in any manner in connection with any trial or pretrial proceeding involving the prosecution of such accused, the accused shall, within the time specified by the military judge or, where no time is specified, within 30 days before trial, notify the trial counsel and the military judge in writing. Such notice shall include a brief description of the classified information. Whenever the accused learns of additional classified information the accused reasonably expects to disclose, or to cause the disclosure of, at any such proceeding, the accused shall notify trial counsel and the military judge in writing as soon as possible thereafter and shall include a brief description of the classified information.

“(2) **LIMITATION ON DISCLOSURE BY ACCUSED.**—No accused shall disclose, or cause the disclosure of, any information known or believed to be classified in connection with a trial or pretrial proceeding until—

“(A) notice has been given under paragraph (1); and

“(B) the United States has been afforded a reasonable opportunity to seek a determination pursuant to the procedure set forth in section 949p-6 of this title and the time for the United States to appeal such determination under section 950d of this title has expired or any appeal under that section by the United States is decided.

“(b) **FAILURE TO COMPLY.**—If the accused fails to comply with the requirements of subsection (a), the military judge—

“(1) may preclude disclosure of any classified information not made the subject of notification; and

“(2) may prohibit the examination by the accused of any witness with respect to any such information.

“§949p-6. Procedure for cases involving classified information

“(a) **MOTION FOR HEARING.**—

“(1) **REQUEST FOR HEARING.**—Within the time specified by the military judge for the filing of a motion under this section, either party may request the military judge to conduct a hearing to make all determinations concerning the use, relevance, or admissibility of classified information that would otherwise be made during the trial or pretrial proceeding.

“(2) **CONDUCT OF HEARING.**—Upon a request by either party under paragraph (1), the military judge shall conduct such a hearing and shall rule prior to conducting any further proceedings.

“(3) **IN CAMERA HEARING UPON DECLARATION TO COURT BY APPROPRIATE OFFICIAL OF RISK OF DISCLOSURE OF CLASSIFIED INFORMATION.**—Any hearing held pursuant to this subsection (or any portion of such hearing specified in the request of a knowledgeable United States official) shall be held in camera if a knowledgeable United States official possessing authority to classify information submits to the military judge a declaration that a public proceeding may result in the disclosure of classified information. Classified information is not subject to disclosure under this section unless the information is relevant and necessary to an element of the offense or a legally cognizable defense and is otherwise admissible in evidence.

“(4) **MILITARY JUDGE TO MAKE DETERMINATIONS IN WRITING.**—As to each item of classified information, the military judge shall set forth in writing the basis for the determination.

“(b) **NOTICE AND USE OF CLASSIFIED INFORMATION BY THE GOVERNMENT.**—

“(1) **NOTICE TO ACCUSED.**—Before any hearing is conducted pursuant to a request by the trial counsel under subsection (a), trial counsel shall provide the accused with notice of the classified information that is at issue. Such notice shall identify the specific classified information at issue whenever that information previously has been made available to the accused by the United States. When the United States has not previously made the information available to the accused in connection with the case the information may be described by generic category, in such forms as the military judge may approve, rather than by identification of the specific information of concern to the United States.

“(2) **ORDER BY MILITARY JUDGE UPON REQUEST OF ACCUSED.**—Whenever the trial counsel requests a hearing under subsection (a), the military judge, upon request of the accused, may order the trial counsel to provide the accused, prior to trial, such details as to the portion of the charge or specification at issue in the hearing as are needed to give the accused fair notice to prepare for the hearing.

“(c) **SUBSTITUTIONS.**—

“(1) **IN CAMERA PRETRIAL HEARING.**—Upon request of the trial counsel pursuant to the Military Commission Rules of Evidence, and in accordance with the security procedures established by the military judge, the military judge shall conduct a classified in camera pretrial hearing concerning the admissibility of classified information.

“(2) PROTECTION OF SOURCES, METHODS, AND ACTIVITIES BY WHICH EVIDENCE ACQUIRED.—The military judge shall permit the trial counsel to introduce otherwise admissible evidence, including a substituted evidentiary foundation pursuant to the procedures described in subsection (d), before a military commission while protecting from disclosure the sources, methods, or activities by which the United States acquired the evidence if the military judge finds that the sources, methods, or activities are classified, the evidence is reliable, and the redaction is consistent with affording the accused a fair trial.

“(d) ALTERNATIVE PROCEDURE FOR DISCLOSURE OF CLASSIFIED INFORMATION.—

“(1) MOTION BY THE UNITED STATES.—Upon any determination by the military judge authorizing the disclosure of specific classified information under the procedures established by this section, the trial counsel may move that, in lieu of the disclosure of such specific classified information, the military judge order—

“(A) the substitution for such classified information of a statement admitting relevant facts that the specific classified information would tend to prove;

“(B) the substitution for such classified information of a summary of the specific classified information; or

“(C) any other procedure or redaction limiting the disclosure of specific classified information.

“(2) ACTION ON MOTION.—The military judge shall grant such a motion of the trial counsel if the military judge finds that the statement, summary, or other procedure or redaction will provide the defendant with substantially the same ability to make his defense as would disclosure of the specific classified information.

“(3) HEARING ON MOTION.—The military judge shall hold a hearing on any motion under this subsection. Any such hearing shall be held in camera at the request of a knowledgeable United States official possessing authority to classify information.

“(4) SUBMISSION OF STATEMENT OF DAMAGE TO NATIONAL SECURITY IF DISCLOSURE ORDERED.—The trial counsel may, in connection with a motion under paragraph (1), submit to the military judge a declaration signed by a knowledgeable United States official possessing authority to classify information certifying that disclosure of classified information would cause identifiable damage to the national security of the United States and explaining the basis for the classification of such information. If so requested by the trial counsel, the military judge shall examine such declaration during an ex parte presentation.

“(e) SEALING OF RECORDS OF IN CAMERA HEARINGS.—If at the close of an in camera hearing under this section (or any portion of a hearing under this section that is held in camera), the military judge determines that the classified information at issue may not be disclosed or elicited at the trial or pretrial proceeding, the record of such in camera hearing shall be sealed and preserved for use in the event of an appeal. The accused may seek reconsideration of the military judge's determination prior to or during trial.

“(f) PROHIBITION ON DISCLOSURE OF CLASSIFIED INFORMATION BY THE ACCUSED; RELIEF FOR ACCUSED WHEN THE UNITED STATES OPPOSES DISCLOSURE.—

“(1) ORDER TO PREVENT DISCLOSURE BY ACCUSED.—Whenever the military judge denies a motion by the trial counsel that the judge issue an order under subsection (a), (c), or (d) and the trial counsel files with the military judge a declaration signed by a knowledgeable United States official possessing authority to classify information objecting to disclosure of the classified information at issue, the military judge shall order that the accused not disclose or cause the disclosure of such information.

“(2) RESULT OF ORDER UNDER PARAGRAPH (1).—Whenever an accused is prevented by an order under paragraph (1) from disclosing or

causing the disclosure of classified information, the military judge shall dismiss the case; except that, when the military judge determines that the interests of justice would not be served by dismissal of the case, the military judge shall order such other action, in lieu of dismissing the charge or specification, as the military judge determines is appropriate. Such action may include, but need not be limited to, the following:

“(A) Dismissing specified charges or specifications.

“(B) Finding against the United States on any issue as to which the excluded classified information relates.

“(C) Striking or precluding all or part of the testimony of a witness.

“(3) TIME FOR THE UNITED STATES TO SEEK INTERLOCUTORY APPEAL.—An order under paragraph (2) shall not take effect until the military judge has afforded the United States—

“(A) an opportunity to appeal such order under section 950d of this title; and

“(B) an opportunity thereafter to withdraw its objection to the disclosure of the classified information at issue.

“(g) RECIPROCITY.—

“(1) DISCLOSURE OF REBUTTAL INFORMATION.—Whenever the military judge determines that classified information may be disclosed in connection with a trial or pretrial proceeding, the military judge shall, unless the interests of fairness do not so require, order the United States to provide the accused with the information it expects to use to rebut the classified information. The military judge may place the United States under a continuing duty to disclose such rebuttal information.

“(2) SANCTION FOR FAILURE TO COMPLY.—If the United States fails to comply with its obligation under this subsection, the military judge—

“(A) may exclude any evidence not made the subject of a required disclosure; and

“(B) may prohibit the examination by the United States of any witness with respect to such information.

“§949p–7. Introduction of classified information into evidence

“(a) PRESERVATION OF CLASSIFICATION STATUS.—Writings, recordings, and photographs containing classified information may be admitted into evidence in proceedings of military commissions under this chapter without change in their classification status.

“(b) PRECAUTIONS BY MILITARY JUDGES.—

“(1) PRECAUTIONS IN ADMITTING CLASSIFIED INFORMATION INTO EVIDENCE.—The military judge in a trial by military commission, in order to prevent unnecessary disclosure of classified information, may order admission into evidence of only part of a writing, recording, or photograph, or may order admission into evidence of the whole writing, recording, or photograph with excision of some or all of the classified information contained therein, unless the whole ought in fairness be considered.

“(2) CLASSIFIED INFORMATION KEPT UNDER SEAL.—The military judge shall allow classified information offered or accepted into evidence to remain under seal during the trial, even if such evidence is disclosed in the military commission, and may, upon motion by the Government, seal exhibits containing classified information for any period after trial as necessary to prevent a disclosure of classified information when a knowledgeable United States official possessing authority to classify information submits to the military judge a declaration setting forth the damage to the national security that the disclosure of such information reasonably could be expected to cause.

“(c) TAKING OF TESTIMONY.—

“(1) OBJECTION BY TRIAL COUNSEL.—During the examination of a witness, trial counsel may object to any question or line of inquiry that may require the witness to disclose classified information not previously found to be admissible.

“(2) ACTION BY MILITARY JUDGE.—Following an objection under paragraph (1), the military

judge shall take such suitable action to determine whether the response is admissible as will safeguard against the compromise of any classified information. Such action may include requiring trial counsel to provide the military judge with a proffer of the witness' response to the question or line of inquiry and requiring the accused to provide the military judge with a proffer of the nature of the information sought to be elicited by the accused. Upon request, the military judge may accept an ex parte proffer by trial counsel to the extent necessary to protect classified information from disclosure, in accordance with the practice of the Federal courts under the Classified Information Procedures Act (18 U.S.C. App.).

“(d) DISCLOSURE AT TRIAL OF CERTAIN STATEMENTS PREVIOUSLY MADE BY A WITNESS.—

“(1) MOTION FOR PRODUCTION OF STATEMENTS IN POSSESSION OF THE UNITED STATES.—After a witness called by the trial counsel has testified on direct examination, the military judge, on motion of the accused, may order production of statements of the witness in the possession of the United States which relate to the subject matter as to which the witness has testified. This paragraph does not preclude discovery or assertion of a privilege otherwise authorized.

“(2) INVOCATION OF PRIVILEGE BY THE UNITED STATES.—If the United States invokes a privilege, the trial counsel may provide the prior statements of the witness to the military judge during an ex parte presentation to the extent necessary to protect classified information from disclosure, in accordance with the practice of the Federal courts under the Classified Information Procedures Act (18 U.S.C. App.).

“(3) ACTION BY MILITARY JUDGE ON MOTION.—If the military judge finds that disclosure of any portion of the statement identified by the United States as classified would be detrimental to the national security in the degree to warrant classification under the applicable Executive Order, statute, or regulation, that such portion of the statement is consistent with the testimony of the witness, and that the disclosure of such portion is not necessary to afford the accused a fair trial, the military judge shall excise that portion from the statement. If the military judge finds that such portion of the statement is inconsistent with the testimony of the witness or that its disclosure is necessary to afford the accused a fair trial, the military judge, shall, upon the request of the trial counsel, review alternatives to disclosure in accordance with section 949p–6(d) of this title.

“SUBCHAPTER VI—SENTENCES

“Sec.

“949s. Cruel or unusual punishments prohibited.

“949t. Maximum limits.

“949u. Execution of confinement.

“§949s. Cruel or unusual punishments prohibited

“Punishment by flogging, or by branding, marking, or tattooing on the body, or any other cruel or unusual punishment, may not be adjudged by a military commission under this chapter or inflicted under this chapter upon any person subject to this chapter. The use of irons, single or double, except for the purpose of safe custody, is prohibited under this chapter.

“§949t. Maximum limits

“The punishment which a military commission under this chapter may direct for an offense may not exceed such limits as the President or Secretary of Defense may prescribe for that offense.

“§949u. Execution of confinement

“(a) IN GENERAL.—Under such regulations as the Secretary of Defense may prescribe, a sentence of confinement adjudged by a military commission under this chapter may be carried into execution by confinement—

“(1) in any place of confinement under the control of any of the armed forces; or

“(2) in any penal or correctional institution under the control of the United States or its allies, or which the United States may be allowed to use.

“(b) TREATMENT DURING CONFINEMENT BY OTHER THAN THE ARMED FORCES.—Persons confined under subsection (a)(2) in a penal or correctional institution not under the control of an armed force are subject to the same discipline and treatment as persons confined or committed by the courts of the United States or of the State, District of Columbia, or place in which the institution is situated.

“SUBCHAPTER VII—POST-TRIAL PROCEDURE AND REVIEW OF MILITARY COMMISSIONS

“Sec.

“950a. Error of law; lesser included offense.

“950b. Review by the convening authority.

“950c. Appellate referral; waiver or withdrawal of appeal.

“950d. Interlocutory appeals by the United States.

“950e. Rehearings.

“950f. Review by United States Court of Appeals for the Armed Forces and Supreme Court.

“950g. Appellate counsel.

“950h. Execution of sentence; suspension of sentence.

“950i. Finality of proceedings, findings, and sentences.

“§950a. Error of law; lesser included offense

“(a) ERROR OF LAW.—A finding or sentence of a military commission under this chapter may not be held incorrect on the ground of an error of law unless the error materially prejudices the substantial rights of the accused.

“(b) LESSER INCLUDED OFFENSE.—Any reviewing authority with the power to approve or affirm a finding of guilty by a military commission under this chapter may approve or affirm, instead, so much of the finding as includes a lesser included offense.

“§950b. Review by the convening authority

“(a) NOTICE TO CONVENING AUTHORITY OF FINDINGS AND SENTENCE.—The findings and sentence of a military commission under this chapter shall be reported in writing promptly to the convening authority after the announcement of the sentence.

“(b) SUBMITTAL OF MATTERS BY ACCUSED TO CONVENING AUTHORITY.—(1) The accused may submit to the convening authority matters for consideration by the convening authority with respect to the findings and the sentence of the military commission under this chapter.

“(2)(A) Except as provided in subparagraph (B), a submittal under paragraph (1) shall be made in writing within 20 days after accused has been given an authenticated record of trial under section 949o(c) of this title.

“(B) If the accused shows that additional time is required for the accused to make a submittal under paragraph (1), the convening authority may, for good cause, extend the applicable period under subparagraph (A) for not more than an additional 20 days.

“(3) The accused may waive his right to make a submittal to the convening authority under paragraph (1). Such a waiver shall be made in writing, and may not be revoked. For the purposes of subsection (c)(2), the time within which the accused may make a submittal under this subsection shall be deemed to have expired upon the submittal of a waiver under this paragraph to the convening authority.

“(c) ACTION BY CONVENING AUTHORITY.—(1) The authority under this subsection to modify the findings and sentence of a military commission under this chapter is a matter of the sole discretion and prerogative of the convening authority.

“(2) The convening authority is not required to take action on the findings of a military commission under this chapter. If the convening au-

thority takes action on the findings, the convening authority may, in his sole discretion, only—

“(A) dismiss any charge or specification by setting aside a finding of guilty thereto; or

“(B) change a finding of guilty to a charge to a finding of guilty to an offense that is a lesser included offense of the offense stated in the charge.

“(3)(A) The convening authority shall take action on the sentence of a military commission under this chapter.

“(B) Subject to regulations prescribed by the Secretary of Defense, action under this paragraph may be taken only after consideration of any matters submitted by the accused under subsection (b) or after the time for submitting such matters expires, whichever is earlier.

“(C) In taking action under this paragraph, the convening authority may, in his sole discretion, approve, disapprove, commute, or suspend the sentence in whole or in part. The convening authority may not increase a sentence beyond that which is found by the military commission.

“(4) The convening authority shall serve on the accused or on defense counsel notice of any action taken by the convening authority under this subsection.

“(d) ORDER OF REVISION OR REHEARING.—(1) Subject to paragraphs (2) and (3), the convening authority of a military commission under this chapter may, in his sole discretion, order a proceeding in revision or a rehearing.

“(2)(A) Except as provided in subparagraph (B), a proceeding in revision may be ordered by the convening authority if—

“(i) there is an apparent error or omission in the record; or

“(ii) the record shows improper or inconsistent action by the military commission with respect to the findings or sentence that can be rectified without material prejudice to the substantial rights of the accused.

“(B) In no case may a proceeding in revision—

“(i) reconsider a finding of not guilty of a specification or a ruling which amounts to a finding of not guilty;

“(ii) reconsider a finding of not guilty of any charge, unless there has been a finding of guilty under a specification laid under that charge, which sufficiently alleges a violation; or

“(iii) increase the severity of the sentence unless the sentence prescribed for the offense is mandatory.

“(3) A rehearing may be ordered by the convening authority if the convening authority disapproves the findings and sentence and states the reasons for disapproval of the findings. If the convening authority disapproves the finding and sentence and does not order a rehearing, the convening authority shall dismiss the charges. A rehearing as to the findings may not be ordered by the convening authority when there is a lack of sufficient evidence in the record to support the findings. A rehearing as to the sentence may be ordered by the convening authority if the convening authority disapproves the sentence.

“§950c. Appellate referral; waiver or withdrawal of appeal

“(a) AUTOMATIC REFERRAL FOR APPELLATE REVIEW.—Except as provided in subsection (b), in each case in which the final decision of a military commission under this chapter (as approved by the convening authority) includes a finding of guilty, the convening authority shall refer the case to the United States Court of Appeals for the Armed Forces. Any such referral shall be made in accordance with procedures prescribed under regulations of the Secretary.

“(b) WAIVER OF RIGHT OF REVIEW.—(1) Except in a case in which the sentence as approved under section 950b of this title extends to death, an accused may file with the convening authority a statement expressly waiving the right of the accused to appellate review by the United

States Court of Appeals for the Armed Forces under section 950f(a) of this title of the final decision of the military commission under this chapter.

“(2) A waiver under paragraph (1) shall be signed by both the accused and a defense counsel.

“(3) A waiver under paragraph (1) must be filed, if at all, within 10 days after notice of the action is served on the accused or on defense counsel under section 950b(c)(4) of this title. The convening authority, for good cause, may extend the period for such filing by not more than 30 days.

“(c) WITHDRAWAL OF APPEAL.—Except in a case in which the sentence as approved under section 950b of this title extends to death, the accused may withdraw an appeal at any time.

“(d) EFFECT OF WAIVER OR WITHDRAWAL.—A waiver of the right to appellate review or the withdrawal of an appeal under this section bars review under section 950f of this title.

“§950d. Interlocutory appeals by the United States

“(a) INTERLOCUTORY APPEAL.—Except as provided in subsection (b), in a trial by military commission under this chapter, the United States may take an interlocutory appeal to the United States Court of Appeals for the Armed Forces under section 950f of this title of any order or ruling of the military judge—

“(1) that terminates proceedings of the military commission with respect to a charge or specification;

“(2) that excludes evidence that is substantial proof of a fact material in the proceeding;

“(3) that relates to a matter under subsection (c) or (d) of section 949d of this title; or

“(4) that, with respect to classified information—

“(A) authorizes the disclosure of such information;

“(B) imposes sanctions for nondisclosure of such information; or

“(C) refuses a protective order sought by the United States to prevent the disclosure of such information.

“(b) LIMITATION.—The United States may not appeal under subsection (a) an order or ruling that is, or amounts to, a finding of not guilty by the military commission with respect to a charge or specification.

“(c) SCOPE OF APPEAL RIGHT WITH RESPECT TO CLASSIFIED INFORMATION.—The United States has the right to appeal under paragraph (4) of subsection (a) whenever the military judge enters an order or ruling that would require the disclosure of classified information, without regard to whether the order or ruling appealed from was entered under this chapter, another provision of law, a rule, or otherwise. Any such appeal may embrace any preceding order, ruling, or reasoning constituting the basis of the order or ruling that would authorize such disclosure.

“(d) TIMING AND ACTION ON INTERLOCUTORY APPEALS RELATING TO CLASSIFIED INFORMATION.—

“(1) APPEAL TO BE EXPEDITED.—An appeal taken pursuant to paragraph (4) of subsection (a) shall be expedited by the United States Court of Appeals for the Armed Forces.

“(2) APPEALS BEFORE TRIAL.—If such an appeal is taken before trial, the appeal shall be taken within 10 days after the order or ruling appealed from and the trial shall not commence until the appeal is decided.

“(3) APPEALS DURING TRIAL.—If such an appeal is taken during trial, the military judge shall adjourn the trial until the appeal is decided, and the court of appeals—

“(A) shall hear argument on such appeal within 4 days of the adjournment of the trial (excluding weekends and holidays);

“(B) may dispense with written briefs other than the supporting materials previously submitted to the military judge;

“(C) shall render its decision within four days of argument on appeal (excluding weekends and holidays); and

“(D) may dispense with the issuance of a written opinion in rendering its decision.

“(e) NOTICE AND TIMING OF OTHER APPEALS.—The United States shall take an appeal of an order or ruling under subsection (a), other than an appeal under paragraph (4) of that subsection, by filing a notice of appeal with the military judge within 5 days after the date of the order or ruling.

“(f) METHOD OF APPEAL.—An appeal under this section shall be forwarded, by means specified in regulations prescribed by the Secretary of Defense, directly to the United States Court of Appeals for the Armed Forces.

“(g) APPEALS COURT TO ACT ONLY WITH RESPECT TO MATTER OF LAW.—In ruling on an appeal under paragraph (1), (2), or (3) of subsection (a), the appeals court may act only with respect to matters of law.

“(h) SUBSEQUENT APPEAL RIGHTS OF ACCUSED NOT AFFECTED.—An appeal under paragraph (4) of subsection (a), and a decision on such appeal, shall not affect the right of the accused, in a subsequent appeal from a judgment of conviction, to claim as error reversal by the military judge on remand of a ruling appealed from during trial.

“§950e. Rehearings

“(a) COMPOSITION OF MILITARY COMMISSION FOR REHEARING.—Each rehearing under this chapter shall take place before a military commission under this chapter composed of members who were not members of the military commission which first heard the case.

“(b) SCOPE OF REHEARING.—(1) Upon a rehearing—

“(A) the accused may not be tried for any offense of which he was found not guilty by the first military commission; and

“(B) no sentence in excess of or more than the original sentence may be imposed unless—

“(i) the sentence is based upon a finding of guilty of an offense not considered upon the merits in the original proceedings; or

“(ii) the sentence prescribed for the offense is mandatory.

“(2) Upon a rehearing, if the sentence approved after the first military commission was in accordance with a pretrial agreement and the accused at the rehearing changes his plea with respect to the charges or specifications upon which the pretrial agreement was based, or otherwise does not comply with pretrial agreement, the sentence as to those charges or specifications may include any punishment not in excess of that lawfully adjudged at the first military commission.

“§950f. Review by United States Court of Appeals for the Armed Forces and Supreme Court

“(a) REVIEW BY UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES.—(1) Subject to the provisions of this subsection, the United States Court of Appeals for the Armed Forces shall have exclusive jurisdiction to determine the final validity of any judgment rendered by a military commission under this chapter.

“(2) In any case referred to it pursuant to section 950c(a) of this title, the United States Court of Appeals for the Armed Forces may act only with respect to the findings and sentence as approved by the convening authority. It may affirm only such findings of guilty, and the sentence or such part or amount of the sentence, as it finds correct in law and fact and determines, on the basis of the entire record, should be approved. In considering the record, it may weigh the evidence, judge the credibility of witnesses, and determine controverted questions of fact, recognizing that the trial court saw and heard the witnesses.

“(3) If the United States Court of Appeals for the Armed Forces sets aside the findings and sentence, it may, except where the setting aside

is based on lack of sufficient evidence in the record to support the findings, order a rehearing. If it sets aside the findings and sentence and does not order a rehearing, it shall order that the charges be dismissed.

“(b) REVIEW BY SUPREME COURT.—The Supreme Court of the United States may review by writ of certiorari pursuant to section 1257 of title 28 the final judgment of the United States Court of Appeals for the Armed Forces in a determination under subsection (a).

“§950g. Appellate counsel

“(a) APPOINTMENT.—The Secretary of Defense shall, by regulation, establish procedures for the appointment of appellate counsel for the United States and for the accused in military commissions under this chapter. Appellate counsel shall meet the qualifications of counsel for appearing before military commissions under this chapter.

“(b) REPRESENTATION OF UNITED STATES.—Appellate counsel may represent the United States in any appeal or review proceeding under this chapter. Appellate Government counsel may represent the United States before the Supreme Court in case arising under this chapter when requested to do so by the Attorney General.

“(c) REPRESENTATION OF ACCUSED.—The accused shall be represented before the United States Court of Appeals for the Armed Forces or the Supreme Court by military appellate counsel, or by civilian counsel if retained by him.

“§950h. Execution of sentence; suspension of sentence

“(a) EXECUTION OF SENTENCE OF DEATH ONLY UPON APPROVAL BY THE PRESIDENT.—If the sentence of a military commission under this chapter extends to death, that part of the sentence providing for death may not be executed until approved by the President. In such a case, the President may commute, remit, or suspend the sentence, or any part thereof, as he sees fit.

“(b) EXECUTION OF SENTENCE OF DEATH ONLY UPON FINAL JUDGMENT OF LEGALITY OF PROCEEDINGS.—(1) If the sentence of a military commission under this chapter extends to death, the sentence may not be executed until there is a final judgement as to the legality of the proceedings (and with respect to death, approval under subsection (a)).

“(2) A judgement as to legality of proceedings is final for purposes of paragraph (1) when review is completed in accordance with the judgement of the United States Court of Appeals for the Armed Forces and (A) a petition for a writ of certiorari is not timely filed, (B) such a petition is denied by the Supreme Court, or (C) review is otherwise completed in accordance with the judgement of the Supreme Court.

“(c) SUSPENSION OF SENTENCE.—The Secretary of the Defense, or the convening authority acting on the case (if other than the Secretary), may suspend the execution of any sentence or part thereof in the case.

“§950i. Finality of proceedings, findings, and sentences

“The appellate review of records of trial provided by this chapter, and the proceedings, findings, and sentences of military commissions as approved, reviewed, or affirmed as required by this chapter, are final and conclusive. Orders publishing the proceedings of military commissions under this chapter are binding upon all departments, courts, agencies, and officers of the United States, subject only to action by the Secretary or the convening authority as provided in section 950h(c) of this title and the authority of the President.

“SUBCHAPTER VIII—PUNITIVE MATTERS

“§950p. Definitions; construction of certain offenses; common circumstances

“(a) DEFINITIONS.—In this subchapter:

“(1) The term ‘military objective’ means combatants and those objects during an armed conflict which, by their nature, location, purpose, or use, effectively contribute to the war-fighting

or war-sustaining capability of an opposing force and whose total or partial destruction, capture, or neutralization would constitute a definite military advantage to the attacker under the circumstances at the time of an attack.

“(2) The term ‘protected person’ means any person entitled to protection under one or more of the Geneva Conventions, including civilians not taking an active part in hostilities, military personnel placed out of combat by sickness, wounds, or detention, and military medical or religious personnel.

“(3) The term ‘protected property’ means any property specifically protected by the law of war, including buildings dedicated to religion, education, art, science, or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, but only if and to the extent such property is not being used for military purposes or is not otherwise a military objective. The term includes objects properly identified by one of the distinctive emblems of the Geneva Conventions, but does not include civilian property that is a military objective.

“(b) CONSTRUCTION OF CERTAIN OFFENSES.—The intent required for offenses under paragraphs (1), (2), (3), (4), and (12) of section 950w of this title precludes their applicability with regard to collateral damage or to death, damage, or injury incident to a lawful attack.

“(c) COMMON CIRCUMSTANCES.—An offense specified in this subchapter is triable by military commission under this chapter only if the offense is committed in the context of and associated with armed conflict.

“(d) OFFENSES ENCOMPASSED UNDER LAW OF WAR.—To the extent that the provisions of this subchapter codify offenses that have traditionally been triable under the law of war or otherwise triable by military commission, this subchapter does not preclude trial for offenses that occurred before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010.

“§950q. Principals

“Any person punishable under this chapter who—

“(1) commits an offense punishable by this chapter, or aids, abets, counsels, commands, or procures its commission;

“(2) causes an act to be done which if directly performed by him would be punishable by this chapter; or

“(3) is a superior commander who, with regard to acts punishable by this chapter, knew, had reason to know, or should have known, that a subordinate was about to commit such acts or had done so and who failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof, is a principal.

“§950r. Accessory after the fact

“Any person subject to this chapter who, knowing that an offense punishable by this chapter has been committed, receives, comforts, or assists the offender in order to hinder or prevent his apprehension, trial, or punishment shall be punished as a military commission under this chapter may direct.

“§950s. Conviction of lesser offenses

“An accused may be found guilty of an offense necessarily included in the offense charged or of an attempt to commit either the offense charged or an attempt to commit either the offense charged or an offense necessarily included therein.

“§950t. Attempts

“(a) IN GENERAL.—Any person subject to this chapter who attempts to commit any offense punishable by this chapter shall be punished as a military commission under this chapter may direct.

“(b) SCOPE OF OFFENSE.—An act, done with specific intent to commit an offense under this

chapter, amounting to more than mere preparation and tending, even though failing, to effect its commission, is an attempt to commit that offense.

“(c) **EFFECT OF CONSUMMATION.**—Any person subject to this chapter may be convicted of an attempt to commit an offense although it appears on the trial that the offense was consummated.

“§950u. Conspiracy

“Any person subject to this chapter who conspires to commit one or more substantive offenses triable by military commission under this subchapter, and who knowingly does any overt act to effect the object of the conspiracy, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

“§950v. Solicitation

“Any person subject to this chapter who solicits or advises another or others to commit one or more substantive offenses triable by military commission under this chapter shall, if the offense solicited or advised is attempted or committed, be punished with the punishment provided for the commission of the offense, but, if the offense solicited or advised is not committed or attempted, he shall be punished as a military commission under this chapter may direct.

“§950w. Crimes triable by military commissions

“The following offenses shall be triable by military commission under this chapter at any time without limitation:

“(1) **MURDER OF PROTECTED PERSONS.**—Any person subject to this chapter who intentionally kills one or more protected persons shall be punished by death or such other punishment as a military commission under this chapter may direct.

“(2) **ATTACKING CIVILIANS.**—Any person subject to this chapter who intentionally engages in an attack upon a civilian population as such, or individual civilians not taking active part in hostilities, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

“(3) **ATTACKING CIVILIAN OBJECTS.**—Any person subject to this chapter who intentionally engages in an attack upon a civilian object that is not a military objective shall be punished as a military commission under this chapter may direct.

“(4) **ATTACKING PROTECTED PROPERTY.**—Any person subject to this chapter who intentionally engages in an attack upon protected property shall be punished as a military commission under this chapter may direct.

“(5) **PILLAGING.**—Any person subject to this chapter who intentionally and in the absence of military necessity appropriates or seizes property for private or personal use, without the consent of a person with authority to permit such appropriation or seizure, shall be punished as a military commission under this chapter may direct.

“(6) **DENYING QUARTER.**—Any person subject to this chapter who, with effective command or control over subordinate groups, declares, orders, or otherwise indicates to those groups that there shall be no survivors or surrender accepted, with the intent to threaten an adversary or to conduct hostilities such that there would be no survivors or surrender accepted, shall be punished as a military commission under this chapter may direct.

“(7) **TAKING HOSTAGES.**—Any person subject to this chapter who, having knowingly seized or

detained one or more persons, threatens to kill, injure, or continue to detain such person or persons with the intent of compelling any nation, person other than the hostage, or group of persons to act or refrain from acting as an explicit or implicit condition for the safety or release of such person or persons, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

“(8) **EMPLOYING POISON OR SIMILAR WEAPONS.**—Any person subject to this chapter who intentionally, as a method of warfare, employs a substance or weapon that releases a substance that causes death or serious and lasting damage to health in the ordinary course of events, through its asphyxiating, bacteriological, or toxic properties, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

“(9) **USING PROTECTED PERSONS AS A SHIELD.**—Any person subject to this chapter who positions, or otherwise takes advantage of, a protected person with the intent to shield a military objective from attack, or to shield, favor, or impede military operations, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

“(10) **USING PROTECTED PROPERTY AS A SHIELD.**—Any person subject to this chapter who positions, or otherwise takes advantage of the location of, protected property with the intent to shield a military objective from attack, or to shield, favor, or impede military operations, shall be punished as a military commission under this chapter may direct.

“(11) **TORTURE.**—

“(A) **OFFENSE.**—Any person subject to this chapter who commits an act specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control for the purpose of obtaining information or a confession, punishment, intimidation, coercion, or any reason based on discrimination of any kind, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

“(B) **SEVERE MENTAL PAIN OR SUFFERING DEFINED.**—In this paragraph, the term ‘severe mental pain or suffering’ has the meaning given that term in section 2340(2) of title 18.

“(12) **CRUEL OR INHUMAN TREATMENT.**—Any person subject to this chapter who subjects another person in their custody or under their physical control, regardless of nationality or physical location, to cruel or inhuman treatment that constitutes a grave breach of common Article 3 of the Geneva Conventions shall be punished, if death results to the victim, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to the victim, by such punishment, other than death, as a military commission under this chapter may direct.

“(13) **INTENTIONALLY CAUSING SERIOUS BODILY INJURY.**—

“(A) **OFFENSE.**—Any person subject to this chapter who intentionally causes serious bodily injury to one or more persons, including privileged belligerents, in violation of the law of war shall be punished, if death results to one or

more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

“(B) **SERIOUS BODILY INJURY DEFINED.**—In this paragraph, the term ‘serious bodily injury’ means bodily injury which involves—

“(i) a substantial risk of death;
“(ii) extreme physical pain;
“(iii) protracted and obvious disfigurement; or
“(iv) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

“(14) **MUTILATING OR MAIMING.**—Any person subject to this chapter who intentionally injures one or more protected persons by disfiguring the person or persons by any mutilation of the person or persons, or by permanently disabling any member, limb, or organ of the body of the person or persons, without any legitimate medical or dental purpose, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

“(15) **MURDER IN VIOLATION OF THE LAW OF WAR.**—Any person subject to this chapter who intentionally kills one or more persons, including privileged belligerents, in violation of the law of war shall be punished by death or such other punishment as a military commission under this chapter may direct.

“(16) **DESTRUCTION OF PROPERTY IN VIOLATION OF THE LAW OF WAR.**—Any person subject to this chapter who intentionally destroys property belonging to another person in violation of the law of war shall be punished as a military commission under this chapter may direct.

“(17) **USING TREACHERY OR PERFDY.**—Any person subject to this chapter who, after inviting the confidence or belief of one or more persons that they were entitled to, or obliged to accord, protection under the law of war, intentionally makes use of that confidence or belief in killing, injuring, or capturing such person or persons shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

“(18) **IMPROPERLY USING A FLAG OF TRUCE.**—Any person subject to this chapter who uses a flag of truce to feign an intention to negotiate, surrender, or otherwise suspend hostilities when there is no such intention shall be punished as a military commission under this chapter may direct.

“(19) **IMPROPERLY USING A DISTINCTIVE EMBLEM.**—Any person subject to this chapter who intentionally uses a distinctive emblem recognized by the law of war for combatant purposes in a manner prohibited by the law of war shall be punished as a military commission under this chapter may direct.

“(20) **INTENTIONALLY MISTREATING A DEAD BODY.**—Any person subject to this chapter who intentionally mistreats the body of a dead person, without justification by legitimate military necessity, shall be punished as a military commission under this chapter may direct.

“(21) **RAPE.**—Any person subject to this chapter who forcibly or with coercion or threat of force wrongfully invades the body of a person by penetrating, however slightly, the anal or genital opening of the victim with any part of the body of the accused, or with any foreign object, shall be punished as a military commission under this chapter may direct.

“(22) **SEXUAL ASSAULT OR ABUSE.**—Any person subject to this chapter who forcibly or with coercion or threat of force engages in sexual contact with one or more persons, or causes one or

more persons to engage in sexual contact, shall be punished as a military commission under this chapter may direct

“(23) **HIJACKING OR HAZARDING A VESSEL OR AIRCRAFT.**—Any person subject to this chapter who intentionally seizes, exercises unauthorized control over, or endangers the safe navigation of a vessel or aircraft that is not a legitimate military objective shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

“(24) **TERRORISM.**—Any person subject to this chapter who intentionally kills or inflicts great bodily harm on one or more protected persons, or intentionally engages in an act that evinces a wanton disregard for human life, in a manner calculated to influence or affect the conduct of government or civilian population by intimidation or coercion, or to retaliate against government conduct, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

“(25) **PROVIDING MATERIAL SUPPORT FOR TERRORISM.**—

“(A) **OFFENSE.**—Any person subject to this chapter who provides material support or resources, knowing or intending that they are to be used in preparation for, or in carrying out, an act of terrorism (as set forth in paragraph (23) of this section), or who intentionally provides material support or resources to an international terrorist organization engaged in hostilities against the United States, knowing that such organization has engaged or engages in terrorism (as so set forth), shall be punished as a military commission under this chapter may direct.

“(B) **MATERIAL SUPPORT OR RESOURCES DEFINED.**—In this paragraph, the term ‘material support or resources’ has the meaning given that term in section 2339A(b) of title 18.

“(26) **WRONGFULLY AIDING THE ENEMY.**—Any person subject to this chapter who, in breach of an allegiance or duty to the United States, knowingly and intentionally aids an enemy of the United States, or one of the co-belligerents of the enemy, shall be punished as a military commission under this chapter may direct.

“(27) **SPYING.**—Any person subject to this chapter who, in violation of the law of war and with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign power, collects or attempts to collect information by clandestine means or while acting under false pretenses, for the purpose of conveying such information to an enemy of the United States, or one of the co-belligerents of the enemy, shall be punished by death or such other punishment as a military commission under this chapter may direct.

“(28) **CONTEMPT.**—A military commission under this chapter may punish for contempt any person who uses any menacing word, sign, or gesture in its presence, or who disturbs its proceedings by any riot or disorder.

“(29) **PERJURY AND OBSTRUCTION OF JUSTICE.**—A military commission under this chapter may try offenses and impose such punishment as the military commission may direct for perjury, false testimony, or obstruction of justice related to the military commission.”

(b) **CONFORMING AMENDMENT.**—Paragraph (13) of section 802 of title 10, United States Code (article 2 of the Uniform Code of Military Justice), is amended to read as follows:

“(13) Privileged belligerents (as that term is defined section 948a(3) of this title) who violate the law of war.”

(c) **PROCEEDINGS UNDER PRIOR STATUTE.**—

(1) **PRIOR CONVICTIONS.**—The amendments made by subsection (a) shall have no effect on

the validity of any conviction pursuant to chapter 47A of title 10, United States Code, as such chapter was in effect on the day before the date of the enactment of this Act.

(2) **COMPOSITION OF MILITARY COMMISSIONS.**—Notwithstanding the amendments made by subsection (a)—

(A) any commission convened pursuant to chapter 47A of title 10, United States Code, as such chapter was in effect on the day before the date of the enactment of this Act, shall be deemed to have been convened pursuant to chapter 47A of title 10, United States Code, as amended by subsection (a);

(B) any member of the Armed Forces detailed to serve on a commission pursuant to chapter 47A of title 10, United States Code, as in effect on the day before the date of the enactment of this Act, shall be deemed to have been detailed pursuant to chapter 47A of title 10, United States Code, as so amended;

(C) any military judge detailed to a commission pursuant to chapter 47A of title 10, United States Code, as in effect on the day before the date of the enactment of this Act, shall be deemed to have been detailed pursuant to chapter 47A of title 10, United States Code, as so amended;

(D) any trial counsel or defense counsel detailed for a commission pursuant to chapter 47A of title 10, United States Code, as in effect on the day before the date of the enactment of this Act, shall be deemed to have been detailed pursuant to chapter 47A of title 10, United States Code, as so amended; and

(E) any court reporters detailed to or employed by a commission pursuant to chapter 47A of title 10, United States Code, as in effect on the day before the date of the enactment of this Act, shall be deemed to have been detailed or employed pursuant to chapter 47A of title 10, United States Code, as so amended.

(3) **CHARGES AND SPECIFICATIONS.**—Notwithstanding the amendments made by subsection (a)—

(A) any charges or specifications sworn or referred pursuant to chapter 47A of title 10, United States Code, as such chapter was in effect on the day before the date of the enactment of this Act, shall be deemed to have been sworn or referred pursuant to chapter 47A of title 10, United States Code, as amended by subsection (a); and

(B) any charges or specifications described in subparagraph (A) may be amended, without prejudice, as needed to properly allege jurisdiction under chapter 47A of title 10, United States Code, as so amended, and crimes triable under such chapter.

(4) **PROCEDURES AND REQUIREMENTS.**—Except as provided in paragraphs (1) through (3), any commission convened pursuant to chapter 47A of title 10, United States Code, as such chapter was in effect on the day before the date of the enactment of this Act, shall be conducted after the date of the enactment of this Act in accordance with the procedures and requirements of chapter 47A of title 10, United States Code, as amended by subsection (a).

(d) **NOTICE TO CONGRESS.**—

(1) **INITIAL RULES.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting for the procedures for military commissions prescribed under chapter 47A of title 10, United States Code, as amended by subsection (a).

(2) **CHANGES TO PROCEDURES.**—Not later than 60 days before the date on which any proposed modification of the regulations in effect for military commissions under Chapter 47A of title 10, United States Code, as so amended, goes into effect, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the modification.

SEC. 1032. TRIAL BY MILITARY COMMISSION OF ALIEN UNPRIVILEGED BELLIGERENTS FOR VIOLATIONS OF THE LAW OF WAR.

(a) **IN GENERAL.**—Subchapter I of chapter 47A of title 10, United States Code, as amended by section 1031(a), is further amended by adding at the end the following new section:

“§948e. Trial by military commission of alien unprivileged belligerents for violations of the law of war

“(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the preferred forum for the trial of alien unprivileged enemy belligerents subject to this chapter for violations of the law of war and other offenses made punishable by this chapter is trial by military commission under this chapter.”

(b) **CLERICAL AMENDMENT.**—The table of sections of the beginning of such subchapter, as amended by section 1031(a), is further amended by adding after the item relating to section 948d the following new item:

“948e. Trial by military commission of alien unprivileged belligerents for violations of the law of war.”

SEC. 1033. NO MIRANDA WARNINGS FOR AL QAEDA TERRORISTS.

(a) **DEFINITIONS.**—In this section—

(1) the term “foreign national” means an individual who is not a citizen or national of the United States; and

(2) the term “enemy combatant” includes a privileged belligerent and an unprivileged enemy belligerent, as those terms are defined in section 948a of title 10, United States Code, as amended by section 1031 of this Act.

(b) **NO MIRANDA WARNINGS.**—Absent an unappealable court order requiring the reading of such statements, no military or intelligence agency or department of the United States shall read to a foreign national who is captured or detained as an enemy combatant by the United States the statement required by *Miranda v. Arizona*, 384 U.S. 436 (1966), or otherwise inform such a prisoner of any rights that the prisoner may or may not have to counsel or to remain silent consistent with *Miranda v. Arizona*, 384 U.S. 436 (1966). No Federal statute, regulation, or treaty shall be construed to require that a foreign national who is captured or detained as an enemy combatant by the United States be informed of any rights to counsel or remain silent consistent with *Miranda v. Arizona*, 384 U.S. 436 (1966) that the prisoner may or may not have, except as required by the United States Constitution. No statement that is made by a foreign national who is captured or detained as an enemy combatant by the United States may be excluded from any proceeding on the basis that the prisoner was not informed of a right to counsel or to remain silent, that the prisoner may or may not have, unless required by the United States Constitution.

(c) **IN GENERAL.**—This section shall not apply to the Department of Justice.

Subtitle E—Medical Facility Matters

SEC. 1041. SHORT TITLE.

This subtitle may be cited as the “Captain James A. Lovell Federal Health Care Center Act of 2009”.

SEC. 1042. EXECUTIVE AGREEMENT.

(a) **EXECUTIVE AGREEMENT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of the Navy, and the Secretary of Veterans Affairs shall execute a signed executive agreement for the joint use by the Department of Defense and the Department of Veterans Affairs of the following:

(1) A new Navy ambulatory care center (on which construction commenced in July 2008), parking structure, and supporting structures and facilities in North Chicago, Illinois, and Great Lakes, Illinois.

(2) Medical personal property and equipment relating to the center, structures, and facilities described in paragraph (1).

(b) SCOPE.—The agreement required by subsection (a) shall—

(1) be a binding operational agreement on matters under the areas specified in section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500); and

(2) contain additional terms and conditions as required by the provisions of this title.

SEC. 1043. TRANSFER OF PROPERTY.

(a) TRANSFER.—

(1) TRANSFER AUTHORIZED.—The Secretary of Defense, acting through the Administrator of General Services, may transfer, without reimbursement, to the Secretary of Veterans Affairs jurisdiction over the center, structures, facilities, and property and equipment covered by the executive agreement under section 1042.

(2) DATE OF TRANSFER.—The transfer authorized by paragraph (1) may not occur before the earlier of—

(A) the date that is five years after the date of the execution under section 1042 of the executive agreement required by that section; or

(B) the date of the completion of such specific benchmarks relating to the joint use by the Department of Defense and the Department of Veterans Affairs of the Navy ambulatory care center described in section 1042(a)(1) as the Secretary of Defense (in consultation with the Secretary of the Navy) and Secretary of the Department of Veterans Affairs shall jointly establish for purposes of this section not later than 180 days after the date of the enactment of this Act.

(3) DELAY OF TRANSFER FOR COMPLETION OF CONSTRUCTION.—If construction on the center, structures, and facilities described in paragraph (1) is not complete as of the date specified in subparagraph (A) or (B) of that paragraph, as applicable, the transfer of the center, structures, and facilities under that paragraph may occur thereafter upon completion of the construction.

(4) DISCHARGE OF TRANSFER.—The Administrator of General Services shall effectuate and memorialize the transfer as authorized by this subsection not later than 30 days after receipt of the request for the transfer.

(5) DESIGNATION OF FACILITY.—The center, structures, facilities transferred under this subsection shall be designated and known after transfer under this subsection as the “Captain James A. Lovell Federal Health Care Center”.

(b) REVERSION.—

(1) IN GENERAL.—If any of the real and related personal property transferred pursuant to subsection (a) is subsequently used for purposes other than those specified in the executive agreement required by section 1042, or is otherwise jointly determined by the Secretary of Defense and the Secretary of Veterans Affairs to be excess to the needs of the Captain James A. Lovell Federal Health Care Center, the Secretary of Veterans Affairs shall offer to transfer jurisdiction over such property, without reimbursement, to the Secretary of Defense. Any such transfer shall be carried out by the Administrator of General Services not later than one year after the acceptance of the offer of such transfer, plus such additional time as the Administrator may require to effectuate and memorialize such transfer.

(2) REVERSION IN EVENT OF LACK OF FACILITIES INTEGRATION.—

(A) WITHIN INITIAL PERIOD.—During the five-year period beginning on the date of the transfer of real and related personal property pursuant to subsection (a), if the Secretary of Veterans Affairs, the Secretary of Defense, and the Secretary of Navy jointly determine that the integration of the facilities transferred pursuant to that subsection should not continue, jurisdiction over such real and related personal property shall be transferred, without reimbursement, to the Secretary of Defense. The transfer under this subparagraph shall be carried out by the Administrator of General Services not later than 180 days after the date of the determina-

tion by the Secretaries, plus such additional time as the Administrator may require to effectuate and memorialize such transfer.

(B) AFTER INITIAL PERIOD.—After the end of the five-year period described in subparagraph (A), if the Secretary of Veterans Affairs or the Secretary of Defense determines that the integration of the facilities transferred pursuant to subsection (a) should not continue, the Secretary of Veterans Affairs shall transfer, without reimbursement, to the Secretary of Defense jurisdiction over the real and related personal property described in subparagraph (A). Any transfer under this subparagraph shall be carried out by the Administrator of General Services not later than one year after the date of the determination by the applicable Secretary, plus such additional time as the Administrator may require to effectuate and memorialize such transfer.

(C) REVERSION PROCEDURES.—The executive agreement required by section 1042 shall provide the following:

(i) Specific procedures for the reversion of real and related personal property, as appropriate, transferred pursuant to subsection (a) to ensure the continuing accomplishment by the Department of Defense and the Department of Veterans Affairs of their missions in the event that the integration of facilities described transferred pursuant to that subsection (a) is not completed or a reversion of property occurs under subparagraph (A) or (B).

(ii) In the event of a reversion under this paragraph, the transfer from the Department of Veterans Affairs to the Department of Defense of associated functions including appropriate resources, civilian positions, and personnel, in a manner that will not result in adverse impact to the missions of Department of Defense or the Department of Veterans Affairs.

SEC. 1044. TRANSFER OF CIVILIAN PERSONNEL OF THE DEPARTMENT OF DEFENSE.

(a) TRANSFER OF FUNCTIONS.—The Secretary of Defense and the Secretary of the Navy may transfer to the Secretary of Veterans Affairs functions necessary for the effective operation of the Captain James A. Lovell Federal Health Care Center. The Secretary of Veterans Affairs may accept any functions so transferred.

(b) TERMS.—

(1) EXECUTIVE AGREEMENT.—Any transfer of functions under subsection (a) shall be carried out as provided in the executive agreement required by section 1042. The functions to be so transferred shall be identified utilizing the provisions of section 3503 of title 5, United States Code.

(2) ELEMENTS.—In providing for the transfer of functions under subsection (a), the executive agreement required by section 1042 shall provide for the following:

(A) The transfer of civilian employee positions of the Department of Defense identified in the executive agreement to the Department of Veterans Affairs, and of the incumbent civilian employees in such positions, and the transition of the employees so transferred to the pay, benefits, and personnel systems that apply to employees of the Department of Veterans Affairs (to the extent that different systems apply).

(B) The transition of employees so transferred to the pay systems of the Department of Veterans Affairs in a manner which will not result in any reduction in an employee's regular rate of compensation (including basic pay, locality pay, any physician comparability allowance, and any other fixed and recurring pay supplement) at the time of transition.

(C) The continuation after transfer of the same employment status for employees so transferred who have already successfully completed or are in the process of completing a one-year probationary period under title 5, United States Code, notwithstanding the provisions of section 7403(b)(1) of title 38, United States Code.

(D) The extension of collective bargaining rights under title 5, United States Code, to em-

ployees so transferred in positions listed in subsection 7421(b) of title 38, United States Code, notwithstanding the provisions of section 7422 of title 38, United States Code, for a two-year period beginning on the effective date of the executive agreement.

(E) At the end of the two-year period beginning on the effective date of the executive agreement, for the following actions by the Secretary of Veterans Affairs with respect to the extension of collective bargaining rights under subparagraph (D):

(i) Consideration of the impact of the extension of such rights.

(ii) Consultation with exclusive employee representatives of the transferred employees about such impact.

(iii) Determination, after consultation with the Secretary of Defense and the Secretary of the Navy, whether the extension of such rights should be terminated, modified, or kept in effect.

(iv) Submittal to Congress of a notice regarding the determination made under clause (iii).

(F) The recognition after transfer of each transferred physician's and dentist's total number of years of service as a physician or dentist in the Department of Defense for purposes of calculating such employee's rate of base pay, notwithstanding the provisions of section 7431(b)(3) of title 38, United States Code.

(G) The preservation of the seniority of the employees so transferred for all pay purposes.

(c) RETENTION OF DEPARTMENT OF DEFENSE EMPLOYMENT AUTHORITY.—Notwithstanding subsections (a) and (b), the Department of Defense may employ civilian personnel at the Captain James Lovell Federal Health Care Center if the Secretary of the Navy, or a designee of the Secretary, determines it is necessary and appropriate to meet mission requirements of the Department of the Navy.

SEC. 1045. JOINT FUNDING AUTHORITY FOR THE CAPTAIN JAMES A. LOVELL FEDERAL HEALTH CARE CENTER.

(a) IN GENERAL.—The Department of Veterans Affairs/Department of Defense Health-Care Resources Sharing Committee under section 8111(b) of title 38, United States Code, may provide for the joint funding of the Captain James A. Lovell Federal Health Care Center in accordance with the provisions of this section.

(b) HEALTH CARE CENTER FUND.—

(1) ESTABLISHMENT.—There is established on the books of the Treasury under the Department of Veterans Affairs a fund to be known as the “Captain James A. Lovell Federal Health Care Center Fund” (in this section referred to as the “Fund”).

(2) ELEMENTS.—The Fund shall consist of the following:

(A) Amounts transferred to the Fund by the Secretary of Defense, in consultation with the Secretary of the Navy, from amounts authorized to be appropriated for the Department of Defense.

(B) Amounts transferred to the Fund by the Secretary of Veterans Affairs from amounts authorized to be appropriated for the Department of Veterans Affairs.

(C) Amounts transferred to the Fund from medical care collections under paragraph (4).

(3) DETERMINATION OF AMOUNTS TRANSFERRED GENERALLY.—The amount transferred to the Fund by each of the Secretary of Defense and the Secretary of Veterans Affairs under subparagraphs (A) and (B), as applicable, of paragraph (2) each fiscal year shall be such amount, as determined by a methodology jointly established by the Secretary of Defense and the Secretary of Veterans Affairs for purposes of this subsection, that reflects the mission-specific activities, workload, and costs of provision of health care at the Captain James A. Lovell Federal Health Care Center of the Department of Defense and the Department of Veterans Affairs, respectively.

(4) TRANSFERS FROM MEDICAL CARE COLLECTIONS.—

(A) *IN GENERAL*.—Amounts collected under the authorities specified in subparagraph (B) for health care provided at the Captain James A. Lovell Federal Health Care Center may be transferred to the Fund under paragraph (2)(C).

(B) *AUTHORITIES*.—The authorities specified in this subparagraph are the following:

(i) Section 1095 of title 10, United States Code.

(ii) Section 1729 of title 38, United States Code.

(iii) Public Law 87-693, popularly known as the “Federal Medical Care Recovery Act” (42 U.S.C. 2651 et seq.).

(5) *ADMINISTRATION*.—The Fund shall be administered in accordance with such provisions of the executive agreement required by section 1042 as the Secretary of Defense and the Secretary of Veterans Affairs shall jointly include in the executive agreement. Such provisions shall provide for an independent review of the methodology established under paragraph (3).

(c) *AVAILABILITY*.—

(1) *IN GENERAL*.—Funds transferred to the Fund under subsection (b) shall be available to fund the operations of the Captain James A. Lovell Federal Health Care Center, including capital equipment, real property maintenance, and minor construction projects that are not required to be specifically authorized by law under section 2805 of title 10, United States Code, or section 8104 of title 38, United States Code.

(2) *LIMITATION*.—The availability of funds transferred to the Fund under subsection (b)(2)(C) shall be subject to the provisions of section 1729A of title 38, United States Code.

(3) *PERIOD OF AVAILABILITY*.—

(A) *IN GENERAL*.—Except as provided in subparagraph (B), funds transferred to the Fund under subsection (b) shall be available under paragraph (1) for one fiscal year after transfer.

(B) *EXCEPTION*.—Of an amount transferred to the Fund under subsection (b), an amount not to exceed two percent of such amount shall be available under paragraph (1) for two fiscal years after transfer.

(d) *FINANCIAL RECONCILIATION*.—The executive agreement required by section 1042 shall provide for the development and implementation of an integrated financial reconciliation process that meets the fiscal reconciliation requirements of the Department of Defense, the Department of the Navy, and the Department of Veterans Affairs. The process shall permit each of the Department of Defense, the Department of Navy, and the Department of Veterans Affairs to identify their fiscal contributions to the Fund, taking into consideration accounting, workload, and financial management differences.

(e) *ANNUAL REPORT*.—The Secretary of Defense, in consultation with the Secretary of the Navy, and the Secretary of Veterans Affairs shall jointly provide for an annual independent review of the Fund for at least three years after the date of the enactment of this Act. Such review shall include detailed statements of the uses of amounts of the Fund and an evaluation of the adequacy of the proportional share contributed to the Fund by each of the Secretary of Defense and the Secretary of Veterans Affairs.

(f) *TERMINATION*.—The authorities in this section shall terminate on September 30, 2015.

SEC. 1046. ELIGIBILITY OF MEMBERS OF THE UNIFORMED SERVICES FOR CARE AND SERVICES AT THE CAPTAIN JAMES A. LOVELL FEDERAL HEALTH CARE CENTER.

(a) *IN GENERAL*.—For purposes of eligibility for health care under chapter 55 of title 10, United States Code, the Captain James A. Lovell Federal Health Care Center may be treated as a facility of the uniformed services to the extent provided under subsection (b) in the executive agreement required by section 1042.

(b) *ADDITIONAL ELEMENTS*.—The executive agreement required by section 1042 may include provisions as follows:

(1) To establish an integrated priority list for access to health care at the Captain James A.

Lovell Federal Health Care Center, which list shall—

(A) integrate the respective health care priority lists of the Secretary of Defense and the Secretary of Veterans Affairs; and

(B) take into account categories of beneficiaries, enrollment program status, and such other matters as the Secretary of Defense and the Secretary of Veterans Affairs jointly consider appropriate.

(2) To incorporate any resource-related limitations for access to health care at the Captain James A. Lovell Federal Health Care Center that the Secretary of Defense may establish for purposes of administering space-available eligibility for care in facilities of the uniformed services under chapter 55 of title 10, United States Code.

(3) To allocate financial responsibility for care provided at the Captain James A. Lovell Federal Health Care Center for individuals who are eligible for care under both chapter 55 of title 10, United States Code, and title 38, United States Code.

(4) To waive the applicability to the Captain James A. Lovell Federal Health Care Center of any provision of section 8111(e) of title 38, United States Code, that the Secretary of Defense and the Secretary of Veterans Affairs shall jointly specify.

SEC. 1047. EXTENSION OF DOD-VA HEALTH CARE SHARING INCENTIVE FUND.

Section 8111(d)(3) of title 38, United States Code, is amended by striking “September 30, 2010” and inserting “September 30, 2015”.

Subtitle F—Miscellaneous Requirements, Authorities, and Limitations

SEC. 1051. CONGRESSIONAL EARMARKS RELATING TO THE DEPARTMENT OF DEFENSE.

(a) *REPORT ON RECURRING EARMARKS*.—

(1) *REPORT REQUIRED*.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a list of each congressional earmark that has been included in a national defense authorization Act for three or more consecutive fiscal years as of the national defense authorization Act for fiscal year 2010.

(2) *ELEMENTS*.—The report required by paragraph (1) shall include the following:

(A) A description of the extent to which competitive or merit-based procedures were used to award funding, or to enter into a contract, grant, or other agreement, pursuant to each congressional earmark listed in the report.

(B) An identification of the specific contracting vehicle used for each such earmark.

(C) In the case of any congressional earmark listed in the report for which competitive or merit-based procedures were not used to award funding, or to enter the contract, grant, or other agreement, a statement of the reasons competitive or merit-based procedures were not used.

(b) *DOD INSPECTOR GENERAL AUDIT OF EARMARKS*.—The Inspector General of the Department of Defense shall conduct an audit of contracts, grants, or other agreements pursuant to congressional earmarks of Department of Defense funds to determine whether or not the recipients of such earmarks are complying with requirements of Federal law on the use of appropriated funds to influence, whether directly or indirectly, congressional action on any legislation or appropriation matter pending before Congress.

(c) *DEFINITIONS*.—In this section:

(1) The term “congressional earmark” means any congressionally directed spending item (Senate) or congressional earmark (House of Representatives) on the list published in compliance with rule XLIV of the Standing Rules of the Senate or rule XXI of the Rules of the House of Representatives.

(2) The term “national defense authorization Act” means an Act authorizing funds for a fis-

cal year for the military activities of the Department of Defense, and for other purposes.

SEC. 1052. NATIONAL STRATEGIC FIVE-YEAR PLAN FOR IMPROVING THE NUCLEAR FORENSIC AND ATTRIBUTION CAPABILITIES OF THE UNITED STATES.

(a) *IN GENERAL*.—The President, with the participation of the officials specified in subsection (c), shall develop a national strategic plan for improving over a five-year period the nuclear forensic and attribution capabilities of the United States and the methods, capabilities, and capacity for nuclear materials forensics and attribution.

(b) *ELEMENTS*.—The plan required under subsection (a) shall include the following:

(1) An investment plan to support nuclear materials forensics and attribution.

(2) Recommendations with respect to—

(A) the allocation of roles and responsibilities for pre-detonation, detonation, and post-detonation activities; and

(B) methods for the attribution of nuclear or radiological material to the source when such material is intercepted by the United States, foreign governments, or international bodies or is dispersed in the course of a terrorist attack or other nuclear or radiological explosion.

(c) *OFFICIALS*.—The officials specified in this subsection are the following:

(1) The Secretary of Homeland Security.

(2) The Secretary of Defense.

(3) The Secretary of Energy.

(4) The Attorney General.

(5) The Secretary of State.

(6) The Director of National Intelligence.

(7) Such other officials as the President considers appropriate.

(d) *SUBMITTAL TO CONGRESS*.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress the plan required under subsection (a).

SEC. 1053. ONE-YEAR EXTENSION OF AUTHORITY TO OFFER AND MAKE REWARDS FOR ASSISTANCE IN COMBATING TERRORISM THROUGH GOVERNMENT PERSONNEL OF ALLIED FORCES.

Section 127b(c)(3)(C) of title 10, United States Code, is amended by striking “September, 30, 2009” and inserting “September, 30, 2010”.

SEC. 1054. BUSINESS PROCESS REENGINEERING.

(a) *NEW PROGRAMS*.—Section 2222 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(B) by inserting before paragraph (2), as redesignated by subparagraph (A) of this subsection, the following new paragraph (1):

“(1) the appropriate chief management officer for the defense business system modernization has determined whether or not—

“(A) the defense business system modernization is in compliance with the enterprise architecture developed under subsection (c); and

“(B) appropriate business process reengineering efforts have been undertaken to ensure that—

“(i) the business process to be supported by the defense business system modernization will be as streamlined and efficient as practicable; and

“(ii) the need to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique interfaces has been eliminated or reduced to the maximum extent practicable;”;

(C) in paragraph (2), as redesignated by subparagraph (A) of this subsection, by striking subparagraph (A) and inserting the following new subparagraph (A):

“(A) has been determined by the appropriate chief management officer to be in compliance with the requirements of paragraph (1);”;

(D) in paragraph (3), as redesignated by subparagraph (A) of this paragraph, by striking “the certification by the approval authority is” and inserting “the certification by the approval authority and the determination by the chief management officer are”;

(2) in subsection (f)—

(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(B) by inserting “(1)” before “The Secretary of Defense”;

(C) in subparagraph (E) of paragraph (1), as designated by this paragraph, by striking “paragraphs (1) through (4)” and inserting “subparagraphs (A) through (D)”;

(D) by adding at the end the following new paragraph (2):

“(2) For purposes of subsection (a), the appropriate chief management officer for a defense business system modernization is as follows:

“(A) In the case of an Army program, the Chief Management Officer of the Army.

“(B) In the case of a Navy program, the Chief Management Officer of the Navy.

“(C) In the case of an Air Force program, the Chief Management Officer of the Air Force.

“(D) In the case of a program of a Defense Agency, the Deputy Chief Management Officer of the Department of Defense.

“(E) In the case of a program that will support the business processes of more than one military department or Defense Agency, the Deputy Chief Management Officer of the Department of Defense.”.

(b) ONGOING PROGRAMS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the appropriate chief management officer for each defense business system modernization approved by the Defense Business Systems Management Committee before the date of the enactment of this Act that will have a total cost in excess of \$100,000,000 shall review such defense business system modernization to determine whether or not appropriate business process reengineering efforts have been undertaken to ensure that—

(A) the business process to be supported by such defense business system modernization will be as streamlined and efficient as practicable; and

(B) the need to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique interfaces has been eliminated or reduced to the maximum extent practicable.

(2) ACTION ON FINDING OF LACK OF REENGINEERING EFFORTS.—If the appropriate chief management officer determines that appropriate business process reengineering efforts have not been undertaken with regard to a defense business system modernization as described in paragraph (1), that chief management officer—

(A) shall develop a plan to undertake business process reengineering efforts with respect to the defense business system modernization; and

(B) may direct that the defense business system modernization be restructured or terminated, if necessary to meet the requirements of paragraph (1).

(3) DEFINITIONS.—In this subsection:

(A) The term “appropriate chief management officer”, with respect to a defense business system modernization, has the meaning given that term in paragraph (2) of subsection (f) of section 2222 of title 10, United States Code (as amended by subsection (a)(2) of this section).

(B) The term “defense business system modernization” has the meaning given that term in subsection (j)(3) of section 2222 of title 10, United States Code.

SEC. 1055. RESPONSIBILITY FOR PREPARATION OF BIENNIAL GLOBAL POSITIONING SYSTEM REPORT.

(a) IN GENERAL.—Section 2281(d) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “the Secretary of Defense” and inserting “the Deputy Secretary of Defense and the Deputy Secretary of Transportation, in their capacity as co-chairs of the National Executive Committee for Space-Based Positioning, Navigation, and Timing,”; and

(B) by striking “the Committee on Armed Services of the Senate and the Committee on

Armed Services of the House of Representatives” and inserting “the Committees on Armed Services and Commerce, Science, and Transportation of the Senate and the Committees on Armed Services, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives”; and

(2) by striking paragraph (2) and inserting the following new paragraph (2):

“(2) In preparing each report required under paragraph (1), the Deputy Secretary of Defense and the Deputy Secretary of Transportation, in their capacity as co-chairs of the National Executive Committee for Space-Based Positioning, Navigation, and Timing, shall consult with the Secretary of Defense, the Secretary of State, the Secretary of Transportation, and the Secretary of Homeland Security.”.

(b) TECHNICAL AMENDMENTS.—Paragraph (1)(B)(ii) of such section is amended—

(1) by inserting “validated” before “performance requirements”; and

(2) by inserting “in accordance with Office of Management and Budget Circular A-109” after “Plan”.

SEC. 1056. ADDITIONAL SUBPOENA AUTHORITY FOR THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

Section 8 of the Inspector General Act of 1978 (5 U.S.C. App. 8) is amended by adding at the end the following new subsection:

“(i)(1) The Inspector General of the Department of Defense is authorized to require by subpoena the attendance and testimony of witnesses necessary to carry out an audit or investigation pursuant to the authorities of this Act.

“(2) A subpoena issued under this subsection, in the case of contumacy or refusal to obey, shall be enforceable by order of any appropriate United States district court.

“(3) The Inspector General shall consult with the Attorney General before issuing any subpoena under this section, and shall not proceed with the issuance of such a subpoena if the Attorney General objects.”.

SEC. 1057. REPORTS ON BANDWIDTH REQUIREMENTS FOR MAJOR DEFENSE ACQUISITION PROGRAMS AND MAJOR SYSTEM ACQUISITION PROGRAMS.

Section 1047(d) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4603; 10 U.S.C. 2366b note) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by indenting such subparagraphs, as so redesignated, four ems from the left margin;

(2) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(3) by adding at the end the following:

“(2) REPORTS.—Not later than January 1 each year, the Secretary of Defense and the Director of National Intelligence shall each submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report on any determinations made under paragraph (1) with respect to meeting the bandwidth requirements for major defense acquisition programs and major system acquisition programs during the preceding fiscal year.”.

SEC. 1058. MULTIYEAR CONTRACTS UNDER PILOT PROGRAM ON COMMERCIAL FEE-FOR-SERVICE AIR REFUELING SUPPORT FOR THE AIR FORCE.

(a) MULTIYEAR CONTRACTS AUTHORIZED.—The Secretary of the Air Force may enter into one or more multiyear contracts, beginning with the fiscal year 2011 program year, for purposes of conducting the pilot program on utilizing commercial fee-for-service air refueling tanker aircraft for Air Force operations required by section 1081 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 335).

(b) COMPLIANCE WITH LAW APPLICABLE TO MULTIYEAR CONTRACTS.—Any contract entered

into under subsection (a) shall be entered into in accordance with the provisions of section 2306c of title 10, United States Code, except that—

(1) the term of the contract may not be more than 8 years;

(2) notwithstanding subsection 2306c(b) of title 10, United States Code, the authority under subsection 2306c(a) of title 10, United States Code, shall apply to the fee-for-service air refueling pilot program;

(3) the contract may contain a clause setting forth a cancellation ceiling in excess of \$100,000,000; and

(4) the contract may provide for an unfunded contingent liability in excess of \$20,000,000.

(c) COMPLIANCE WITH LAW APPLICABLE TO SERVICE CONTRACTS.—A contract entered into under subsection (a) shall be entered into in accordance with the provisions of section 2401 of title 10, United States Code, except that—

(1) the Secretary shall not be required to certify to the congressional defense committees that the contract is the most cost-effective means of obtaining commercial fee-for-service air refueling tanker aircraft for Air Force operations; and

(2) the Secretary shall not be required to certify to the congressional defense committees that there is no alternative for meeting urgent operational requirements other than making the contract.

(d) LIMITATION ON AMOUNT.—The amount of a contract under subsection (a) may not exceed \$999,999,999.

(e) PROVISION OF GOVERNMENT INSURANCE.—A commercial air operator contracting with the Department of Defense under the pilot program referred to in subsection (a) shall be eligible to receive government provided insurance pursuant to chapter 443 of title 49, United States Code, if commercial insurance is unavailable on reasonable terms and conditions.

SEC. 1059. ADDITIONAL DUTY FOR ADVISORY PANEL ON DEPARTMENT OF DEFENSE CAPABILITIES FOR SUPPORT OF CIVIL AUTHORITIES AFTER CERTAIN INCIDENTS.

Section 1082(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 337) is amended by—

(1) redesignating paragraphs (7) and (8) as paragraphs (9) and (10), respectively;

(2) in paragraph (4), by striking “other department” and inserting “other departments”; and

(3) by inserting after paragraph (6) the following new paragraphs:

“(7) assess the adequacy of the process and methodology by which the Department of Defense establishes, maintains, and resources dedicated, special, and general purpose forces for conducting operations described in paragraph (1);

“(8) assess the adequacy of the resources planned and programmed by the Department of Defense to ensure the preparedness and capability of dedicated, special, and general purpose forces for conducting operations described in paragraph (1);”.

Subtitle G—Reports

SEC. 1071. NATIONAL INTELLIGENCE ESTIMATE ON NUCLEAR ASPIRATIONS OF NON-STATE ENTITIES AND NUCLEAR WEAPONS AND RELATED PROGRAMS IN NON-NUCLEAR-WEAPONS STATES AND COUNTRIES NOT PARTIES TO THE NUCLEAR NON-PROLIFERATION TREATY.

(a) IN GENERAL.—The Director of National Intelligence shall prepare a national intelligence estimate (NIE) on the following:

(1) The nuclear weapons programs and any related programs of countries that are non-nuclear-weapons state parties to the Treaty on Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the “Nuclear Non-Proliferation Treaty”) and countries that are not parties to the Treaty.

(2) The nuclear weapons aspirations of such non-state entities as the Director considers appropriate to include in the estimate.

(b) **ELEMENTS.**—The national intelligence estimate required under subsection (a) shall include, with respect to each country described in subsection (a)(1) and each non-state entity referred to in subsection (a)(2), the following:

(1) A statement of the number of nuclear weapons possessed by such country or non-state entity.

(2) An estimate of the total number of nuclear weapons that such country or non-state entity seeks to obtain and, in the case of such non-state entity, an assessment of the extent to which such non-state entity is seeking to develop a nuclear weapon or device or radiological dispersion device.

(3) A description of the technical characteristics of any nuclear weapons possessed by such country or non-state entity.

(4) A description of nuclear weapons designs available to such country or non-state entity.

(5) A description of any sources of assistance with respect to nuclear weapons design provided to such country or non-state entity.

(6) An assessment of the annual capability of such country and non-state entity to produce new or newly designed nuclear weapons.

(7) A description of the type of fissile materials used in any nuclear weapons possessed by such country or non-state entity.

(8) A description of the location and production capability of any fissile materials production facilities in such country or controlled by such non-state entity, the current status of any such facilities, and any plans by such country or non-state entity to develop such facilities.

(9) An identification of the source of any fissile materials used by such country or non-state entity, if such materials are not produced in facilities referred to in paragraph (8).

(10) A description of any delivery systems available to such country or non-state entity and an assessment of whether nuclear warheads have been mated to any such delivery system.

(11) An assessment of the physical security of the storage facilities for nuclear weapons in such country or controlled by such non-state entity.

(12) An assessment of whether such country or non-state entity is modernizing or otherwise improving the safety, security, and reliability of the nuclear weapons stockpile of such country or non-state entity.

(13) In the case of a country, an assessment of the policy of such country on the employment and use of nuclear weapons.

(c) **SUBMITTAL TO CONGRESS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Director of National Intelligence shall submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives the national intelligence estimate required under subsection (a) by not later than September 1, 2010.

(2) **NOTIFICATION OF DELAY IN SUBMITTAL.**—If the Director of National Intelligence determines that it will not be possible for the Director to submit the national intelligence estimate by September 1, 2010, the Director shall, not later than August 1, 2010, submit to the committees specified in paragraph (1) a notice—

(A) that the national intelligence estimate will not be submitted by September 1, 2010; and

(B) setting forth the date by which the Director will submit the national intelligence estimate.

SEC. 1072. COMPTROLLER GENERAL OF THE UNITED STATES ASSESSMENT OF MILITARY WHISTLEBLOWER PROTECTIONS.

(a) **REVIEW.**—The Comptroller General of the United States shall conduct a review of military whistleblower protections afforded to members of the Armed Services by the Department of De-

fense. The review shall include an analysis of the following:

(1) A sample of military whistleblower cases at the Office of the Inspector General of the Department of Defense, as well as one or more Offices of the Inspector General of a military department (as selected by the Comptroller General for the purposes of this section).

(2) Department-wide efforts to educate and inform members of the Armed Forces about the protections provided to them under section 1034 of title 10, United States Code.

(3) A sample of military whistleblower reprisal appeals (as selected by the Comptroller General for the purposes of this section) heard by the Boards for the Correction of Military Records referred to in section 1552 of title 10, United States Code, of each military department.

(b) **REPORT.**—Not later than December 1, 2009, the Comptroller General shall submit a report on the review and analysis conducted under subsection (a) to the Chairman and Ranking Minority Member of each of the following:

(1) The Committees on Armed Services, Homeland Security and Governmental Affairs, and the Judiciary of the Senate.

(2) The Committees on Armed Services, Homeland Security, and the Judiciary of the House of Representatives.

SEC. 1073. REPORT ON RE-DETERMINATION PROCESS FOR PERMANENTLY INCAPACITATED DEPENDENTS OF RETIRED AND DECEASED MEMBERS OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the re-determination process of the Department of Defense used to determine the eligibility of permanently incapacitated dependents of retired and deceased members of the Armed Forces for benefits provided under laws administered by the Secretary. The report shall include the following:

(1) An assessment of the re-determination process, including the following:

(A) The rationale for requiring a quadrennial recertification of financial support after issuance of a permanent identification card to a permanently incapacitated dependent.

(B) The administrative and other burdens the quadrennial recertification imposes on the affected sponsor and dependents, especially after the sponsor becomes ill, incapacitated, or deceased.

(C) The extent to which the quadrennial recertification undermines the utility of issuing a permanent identification card.

(D) The extent of the consequences entailed in eliminating the requirement for quadrennial recertification.

(2) Specific recommendations for the following:

(A) Improving the efficiency of the recertification process.

(B) Minimizing the burden of such process on the sponsors of such dependents.

(C) Eliminating the requirement for quadrennial recertification.

SEC. 1074. COMPTROLLER GENERAL REVIEW OF SPENDING IN THE FINAL QUARTER OF FISCAL YEAR 2009 BY THE DEPARTMENT OF DEFENSE.

(a) **REVIEW OF SPENDING BY THE COMPTROLLER GENERAL.**—The Comptroller General of the United States shall conduct a review of the obligations and expenditures of the Department of Defense in the final quarter of fiscal year 2009, as compared to the obligations and expenditures of the Department in the first three quarters of that fiscal year, to determine if policies with respect to spending by the Department contribute to hastened year-end spending and poor use or waste of taxpayer dollars.

(b) **REPORT.**—Not later than the earlier of March 30, 2010, or the date that is 180 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing—

(1) the results of the review conducted under subsection (a); and

(2) any recommendations of the Comptroller General with respect to improving the policies pursuant to which amounts appropriated to the Department of Defense are obligated and expended in the final quarter of the fiscal year.

SEC. 1075. REPORT ON AIR AMERICA.

(a) **DEFINITIONS.**—In this section:

(1) **AIR AMERICA.**—The term “Air America” means Air America, Incorporated.

(2) **ASSOCIATED COMPANY.**—The term “associated company” means any entity associated with, predecessor to, or subsidiary to Air America, including Air Asia Company Limited, CAT Incorporated, Civil Air Transport Company Limited, and the Pacific Division of Southern Air Transport during the period when such an entity was owned and controlled by the United States Government.

(b) **REPORT ON RETIREMENT BENEFITS FOR FORMER EMPLOYEES OF AIR AMERICA.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on the advisability of providing Federal retirement benefits to United States citizens for the service of such citizens prior to 1977 as employees of Air America or an associated company during a period when Air America or the associated company was owned or controlled by the United States Government and operated or managed by the Central Intelligence Agency.

(2) **REPORT ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) The history of Air America and the associated companies prior to 1977, including a description of—

(i) the relationship between Air America and the associated companies and the Central Intelligence Agency or any other element of the United States Government;

(ii) the workforce of Air America and the associated companies;

(iii) the missions performed by Air America, the associated companies, and their employees for the United States; and

(iv) the casualties suffered by employees of Air America and the associated companies in the course of their employment.

(B) A description of—

(i) the retirement benefits contracted for or promised to the employees of Air America and the associated companies prior to 1977;

(ii) the contributions made by such employees for such benefits;

(iii) the retirement benefits actually paid such employees;

(iv) the entitlement of such employees to the payment of future retirement benefits; and

(v) the likelihood that such employees will receive any future retirement benefits.

(C) An assessment of the difference between—

(i) the retirement benefits that former employees of Air America and the associated companies have received or will receive by virtue of their employment with Air America and the associated companies; and

(ii) the retirement benefits that such employees would have received or be eligible to receive if such employment was deemed to be employment by the United States Government and their service during such employment was credited as Federal service for the purpose of Federal retirement benefits.

(D)(i) Any recommendations regarding the advisability of legislative action to treat such employment as Federal service for the purpose of Federal retirement benefits in light of the relationship between Air America and the associated companies and the United States Government and the services and sacrifices of such employees to and for the United States.

(ii) If legislative action is considered advisable under clause (i), a proposal for such action and an assessment of its costs.

(E) The opinions of the Director of the Central Intelligence Agency, if any, on any matters covered by the report that the Director of the Central Intelligence Agency considers appropriate.

(3) **ASSISTANCE OF COMPTROLLER GENERAL.**—The Comptroller General of the United States shall, upon the request of the Director of National Intelligence and in a manner consistent with the protection of classified information, assist the Director in the preparation of the report required by paragraph (1).

(4) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1076. REPORT ON CRITERIA FOR SELECTION OF STRATEGIC EMBARKATION PORTS AND SHIP LAYBERTHING LOCATIONS.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Commander of the United States Transportation Command shall submit to the congressional defense committees a report with criteria for the selection of strategic embarkation ports and ship layberthing locations.

(b) **DEVELOPMENT OF CRITERIA.**—The criteria included in the report required under subsection (a) shall—

(1) prioritize the facilitation of strategic deployment and reduction of combatant commander force closure timelines;

(2) take into account—

(A) time required to crew, activate, and sail sealift vessels to embarkation ports;

(B) distance and travel times for the forces from assigned installation to embarkation ports;

(C) availability of adequate infrastructure to transport forces from assigned installation to embarkation ports; and

(D) time required to move forces from embarkation ports to likely areas of force deployment around the world; and

(3) inform the selection of strategic embarkation ports and the procurement of ship layberthing services.

SEC. 1077. REPORT ON DEFENSE TRAVEL SIMPLIFICATION.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a comprehensive plan to simplify defense travel.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following:

(1) A comprehensive discussion of aspects of the Department of Defense travel system that are most confusing, inefficient, and in need of revision.

(2) Critical review of opportunities to streamline and simplify defense travel policies and to reduce travel-related costs to the Department of Defense.

(3) Options to leverage industry capabilities that could enhance management responsiveness to changing markets.

(4) A discussion of pilot programs that could be undertaken to prove the merit of improvements identified in accomplishing actions specified in paragraphs (1) and (2), including recommendations for legislative authority.

(5) Such recommendations and an implementation plan for legislative or administrative action as the Secretary of Defense considers appropriate to improve defense travel.

SEC. 1078. REPORT ON MODELING AND SIMULATION ACTIVITIES OF UNITED STATES JOINT FORCES COMMAND.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, working through the Director for Defense Research and Engineering, the Assistant Secretary of Defense for Manufacturing and Industrial Base, and the Commander of the United States Joint Forces Command, shall submit to the congressional defense committees a report that describes current and planned efforts to support and enhance the defense modeling and simulation technological and industrial base, including in academia, industry, and government.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following:

(1) An assessment of the current and future domestic defense modeling and simulation technological and industrial base and its ability to meet current and future defense requirements.

(2) A description of current and planned programs and activities of the Department of Defense to enhance the ability of the domestic defense modeling and simulation industrial base to meet current and future defense requirements.

(3) A description of current and planned Department of Defense activities in cooperation with Federal, State, and local government organizations that promote the enhancement of the ability of the domestic defense modeling and simulation industrial base to meet current and future defense requirements.

(4) A comparative assessment of current and future global modeling and simulation capabilities relative to those of the United States in areas related to defense applications of modeling and simulation.

(5) An identification of additional authorities or resources related to technology transfer, establishment of public-private partnerships, coordination with regional, State, or local initiatives, or other activities that would be required to enhance efforts to support the domestic defense modeling and simulation industrial base.

(6) Other matters as determined appropriate by the Secretary.

SEC. 1079. REPORT ON ENABLING CAPABILITIES FOR SPECIAL OPERATIONS FORCES.

(a) **REPORT REQUIRED.**—Not later than 270 days after the date of the enactment of this Act, the Commander of the United States Special Operations Command, jointly with the commanders of the combatant commands and the chiefs of the services, shall submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff a report on the availability of enabling capabilities to support special operations forces requirements.

(b) **MATTERS TO BE INCLUDED.**—The report required under subsection (a) shall include the following:

(1) An identification of the requirements for enabling capabilities for conventional forces and special operations forces globally, including current and projected needs in Iraq, Afghanistan, and other theaters of operation.

(2) A description of the processes used to prioritize and allocate enabling capabilities to meet the mission requirements of conventional forces and special operations forces.

(3) An identification and description of any shortfalls in enabling capabilities for special operations forces by function, region, and quantity, as determined by the Commander of the United States Special Operations Command and the commanders of the geographic combatant commands.

(4) An assessment of the current inventory of these enabling capabilities within the military departments and components and the United States Special Operations Command.

(5) An assessment of whether there is a need to create additional enabling capabilities by function and quantity.

(6) An assessment of the merits of creating additional enabling units, by type and quantity—

(A) within the military departments; and

(B) within the United States Special Operations Command.

(7) Recommendations for meeting the current and future enabling force requirements of the United States Special Operations Command, including an assessment of the increases in endstrength, equipment, funding, and military construction that would be required to support these recommendations.

(8) Any other matters the Commander of the United States Special Operations Command, the commanders of the combatant commands, and the chiefs of the services consider useful and relevant.

(c) **REPORT TO CONGRESS.**—Not later than 30 days after receiving the report required under

subsection (a), the Secretary of Defense shall forward the report to the congressional defense committees with any additional comments the Secretary considers appropriate.

Subtitle H—Other Matters

SEC. 1081. TRANSFER OF NAVY AIRCRAFT N40VT.

(a) **AUTHORITY TO TRANSFER.**—

(1) **AUTHORITY.**—Subject to all applicable Federal laws and regulations controlling the disposition of Federal property, the Secretary of the Navy may transfer to Piasecki Aircraft Corporation of Essington, Pennsylvania (in this section referred to as the “transferee”), Navy aircraft N40VT (Bureau Number 163283) and associated components, test equipment, and engines, previously specified as Government-furnished equipment in contract N00019-00-C-0284.

(2) **WRITTEN AGREEMENT.**—The transfer under this subsection shall be made by means of a written agreement.

(3) **APPLICABLE LAW.**—The transfer or use of military equipment is subject to all applicable United States laws and regulations, including, but not limited to, the Arms Export Control Act, the Export Administration Act of 1979, continued under Executive Order 12924, International Traffic in Arms Regulations (22 C.F.R. 120 et seq.), Export Administration Regulations (15 C.F.R. 730 et seq.), Foreign Assets Control Regulations (31 C.F.R. 500 et seq.), and the Espionage Act.

(b) **CERTIFICATION REQUIRED FOR DISPOSAL OF COMBATANT MILITARY EQUIPMENT.**—No military equipment described by subsection (a) that is military equipment of a combatant command may be transferred under subsection (a) unless the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, or the Commandant of the Marine Corps, as applicable, certifies that such equipment is not essential to the defense of the United States.

(c) **CONDITION OF EQUIPMENT TO BE TRANSFERRED.**—The military equipment transferred under subsection (a) shall be transferred in its current “as is” condition. The Secretary is not required to repair or alter the condition of any military equipment before transferring any interest in such equipment under subsection (a).

(d) **TRANSFER AT NO COST TO THE UNITED STATES.**—The transfer of military equipment under subsection (a) shall be made at no cost to the United States. Any costs associated with the transfer shall be borne by the transferee.

(e) **GOVERNMENT RIGHTS.**—The Secretary shall include in the written agreement under subsection (a)(2) such terms and conditions as the Secretary considers appropriate—

(1) to permit the United States to use any future technologies derived from testing of military equipment transferred under subsection (a), including upon the transfer of such military equipment to a successor in interest of the transferee; and

(2) to retain for the Government all technical data rights associated with military equipment transferred under subsection (a).

(f) **CONSIDERATION.**—As consideration for the transfer of military equipment under subsection (a), the transferee shall provide compensation to the United States, the value of which is equal to the fair market value of such military equipment, as determined by the Secretary. The Secretary may not delegate the authority to make the determination required by the preceding sentence.

(g) **NO LIABILITY FOR THE UNITED STATES.**—Upon the transfer of military equipment under subsection (a), the United States shall not be liable for any death, injury, loss, or damage that results from the use of such military equipment by any person other than the United States.

(h) **REVERTER UPON BREACH OF CONDITIONS.**—The Secretary shall include in the written agreement under subsection (a)(2) the following:

(1) A condition that the transferee not transfer any interest in, or transfer possession of, the

military equipment transferred under subsection (a) to any other party without the prior written approval of the Secretary.

(2) A condition that the transferee operate or maintain, as applicable, the military equipment transferred under subsection (a) in compliance with all applicable limitations and maintenance requirements under law.

(3) A condition that if the Secretary determines at any time that the transferee has failed to comply with a condition set forth in paragraph (1) or (2), all right, title, and interest in and to the military equipment transferred under subsection (a), including any repair or alteration of the military equipment by the transferee or otherwise, shall revert to the United States, and the United States shall have the right of immediate possession of the military equipment.

(i) **LIMITATION ON TRANSFER PENDING NOTICE TO CONGRESS.**—

(1) **LIMITATION.**—A transfer of military equipment under subsection (a) may not occur until—

(A) notice of the proposal to make the transfer is sent to Congress; and

(B) 60 days of continuous session of Congress have expired following the date on which such notice is sent to Congress.

(2) **CALCULATION OF CONTINUOUS SESSION.**—For purposes of paragraph (1)(B), the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which the either House is not in session because of adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period.

(j) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with a transfer under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 1082. TRANSFER OF BIG CROW AIRCRAFT.

(a) **IN GENERAL.**—The Secretary of the Air Force may convey to an appropriate private entity the right, title, and interest of the United States in and to the Big Crow aircraft referred to in subsection (b) in order to permit the continuation of the purpose of such aircraft at the time of their retirement in and through such private entity after conveyance if the Secretary and the Under Secretary of Defense for Acquisition, Technology, and Logistics jointly determine that it is in the interests of the Department of Defense to do so.

(b) **COVERED BIG CROW AIRCRAFT.**—The Big Crow aircraft referred to in this subsection are the recently-retired aircraft as follows:

(1) Big Crow aircraft NC-135E, tail number 55-3132.

(2) Big Crow aircraft NC-135B, tail number 63-8050.

(c) **CONDITIONS OF CONVEYANCE.**—

(1) **IN GENERAL.**—Any conveyance of Big Crow aircraft under subsection (a) shall be for such consideration as the Secretary considers appropriate. The Secretary shall provide for any aircraft so conveyed to be conveyed in “as-is” condition at the time of conveyance, with all classified and other sensitive equipment removed from such aircraft before conveyance.

(2) **NO LIABILITY FOR THE UNITED STATES.**—Notwithstanding any other provision of law, upon the conveyance of a Big Crow aircraft under subsection (a), the United States shall not be liable for any death, injury, loss, or damage that results from the use of the aircraft by any person other than the United States.

(d) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with a conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 1083. PLAN FOR SUSTAINMENT OF LAND-BASED SOLID ROCKET MOTOR INDUSTRIAL BASE.

(a) **IN GENERAL.**—The Secretary of Defense shall review and establish a plan to sustain the

solid rocket motor industrial base, including the ability to maintain and sustain currently deployed strategic and missile defense systems and to maintain an intellectual and engineering capacity to support next generation rocket motors, as needed.

(b) **SUBMISSION OF PLAN.**—Not later than March 1, 2010, the Secretary of Defense shall submit to the congressional defense committees the plan required under subsection (a), together with an explanation of how fiscal year 2010 funds will be used to sustain and support the plan and a description of the funding in the future years defense program plan to support the plan.

SEC. 1084. PILOT PROGRAM ON USE OF SERVICE DOGS FOR THE TREATMENT OR REHABILITATION OF VETERANS WITH PHYSICAL OR MENTAL INJURIES OR DISABILITIES.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The United States owes a profound debt to those who have served the United States honorably in the Armed Forces.

(2) Disabled veterans suffer from a range of physical and mental injuries and disabilities.

(3) In 2008, the Army reported the highest level of suicides among its soldiers since it began tracking the rate 28 years before 2009.

(4) A scientific study documented in the 2008 Rand Report entitled “Invisible Wounds of War” estimated that 300,000 veterans of Operation Enduring Freedom and Operation Iraqi Freedom currently suffer from post-traumatic stress disorder.

(5) Veterans have benefitted in multiple ways from the provision of service dogs.

(6) The Department of Veterans Affairs has been successfully placing guide dogs with the blind since 1961.

(7) Thousands of dogs around the country await adoption.

(b) **PROGRAM REQUIRED.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a three-year pilot program to assess the benefits, feasibility, and advisability of using service dogs for the treatment or rehabilitation of veterans with physical or mental injuries or disabilities, including post-traumatic stress disorder.

(c) **PARTNERSHIPS.**—

(1) **IN GENERAL.**—The Secretary shall carry out the pilot program by partnering with non-profit organizations that—

(A) have experience providing service dogs to individuals with injuries or disabilities;

(B) do not charge fees for the dogs, services, or lodging that they provide; and

(C) are accredited by a generally accepted industry-standard accrediting institution.

(2) **REIMBURSEMENT OF COSTS.**—The Secretary shall reimburse partners for costs relating to the pilot program as follows:

(A) For the first 50 dogs provided under the pilot program, all costs relating to the provision of such dogs.

(B) For dogs provided under the pilot program after the first 50 dogs provided, all costs relating to the provision of every other dog.

(d) **PARTICIPATION.**—

(1) **IN GENERAL.**—As part of the pilot program, the Secretary shall provide a service dog to a number of veterans with physical or mental injuries or disabilities that is greater than or equal to the greater of—

(A) 200; and

(B) the minimum number of such veterans required to produce scientifically valid results with respect to assessing the benefits and costs of the use of such dogs for the treatment or rehabilitation of such veterans.

(2) **COMPOSITION.**—The Secretary shall ensure that—

(A) half of the participants in the pilot program are veterans who suffer primarily from a mental health injury or disability; and

(B) half of the participants in the pilot program are veterans who suffer primarily from a physical injury or disability.

(e) **STUDY.**—In carrying out the pilot program, the Secretary shall conduct a scientifically valid research study of the costs and benefits associated with the use of service dogs for the treatment or rehabilitation of veterans with physical or mental injuries or disabilities. The matters studied shall include the following:

(1) The therapeutic benefits to such veterans, including the quality of life benefits reported by the veterans partaking in the pilot program.

(2) The economic benefits of using service dogs for the treatment or rehabilitation of such veterans, including—

(A) savings on health care costs, including savings relating to reductions in hospitalization and reductions in the use of prescription drugs; and

(B) productivity and employment gains for the veterans.

(3) The effectiveness of using service dogs to prevent suicide.

(f) **REPORTS.**—

(1) **ANNUAL REPORT OF THE SECRETARY.**—After each year of the pilot program, the Secretary shall submit to Congress a report on the findings of the Secretary with respect to the pilot program.

(2) **FINAL REPORT BY THE NATIONAL ACADEMY OF SCIENCES.**—Not later than 180 days after the date of the completion of the pilot program, the National Academy of Sciences shall submit to Congress a report on the results of the pilot program.

SEC. 1085. EXPANSION OF STATE HOME CARE FOR PARENTS OF VETERANS WHO DIED WHILE SERVING IN ARMED FORCES.

In administering section 51.210(d) of title 38, Code of Federal Regulations, the Secretary of Veterans Affairs shall permit a State home to provide services to, in addition to non-veterans described in such subsection, a non-veteran any of whose children died while serving in the Armed Forces.

SEC. 1086. FEDERAL EMPLOYEES RETIREMENT SYSTEM AGE AND RETIREMENT TREATMENT FOR CERTAIN RETIREES OF THE ARMED FORCES.

(a) **INCREASE IN MAXIMUM AGE LIMIT FOR POSITIONS SUBJECT TO FERS.**—

(1) **LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS.**—Section 3307(e) of title 5, United States Code, is amended—

(A) by striking “(e) The” and inserting “(e)(1) Except as provided in paragraph (2), the”;

(B) by adding at the end the following:

“(2) The maximum age limit for an original appointment to a position as a firefighter or law enforcement officer (as defined by section 8401(14) or (17), respectively) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.”

(2) **OTHER POSITIONS.**—The maximum age limit for an original appointment to a position as a member of the Capitol Police or Supreme Court Police, nuclear materials courier (as defined under section 8401(33) of title 5, United States Code), or customs and border protection officer (as defined in section 8401(36) of title 5, United States Code) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.

(b) **ELIGIBILITY FOR ANNUITY.**—Section 8412(d) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “or” at the end;

(2) in paragraph (2), by adding “or” at the end; and

(3) by inserting after paragraph (2) the following:

“(3) after becoming 57 years of age and completing 10 years of service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, firefighter, nuclear materials courier, customs or border protection officer, or any combination of such service totaling 10 years, if such employee—

“(A) is originally appointed to a position as a law enforcement officer, member of the Capitol Police or Supreme Court Police, firefighter, nuclear materials courier, or customs and border protection officer on or after the effective date of this paragraph under section 1083(e) of the National Defense Authorization Act for Fiscal Year 2010;

“(B) on the date that original appointment met the requirements of section 3307(e)(2) of this title or section 1083(a)(2) of the National Defense Authorization Act for Fiscal Year 2010.”.

(c) MANDATORY SEPARATION.—Section 8425 of title 5, United States Code, is amended—

(1) in subsection (b)(1), in the first sentence, by inserting “, except that a law enforcement officer, firefighter, nuclear materials courier, or customs and border protection officer eligible for retirement under 8412(d)(3) shall be separated from service on the last day of the month in which that employee becomes 57 years of age” before the period;

(2) in subsection (c), in the first sentence, by inserting “, except that a member of the Capitol Police eligible for retirement under 8412(d)(3) shall be separated from service on the last day of the month in which that employee becomes 57 years of age” before the period; and

(3) in subsection (d), in the first sentence, by inserting “, except that a member of the Supreme Court Police eligible for retirement under 8412(d)(3) shall be separated from service on the last day of the month in which that employee becomes 57 years of age” before the period.

(d) COMPUTATION OF BASIC ANNUITY.—Section 8415(d) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “total service as” and inserting “civilian service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, firefighter, nuclear materials courier, customs and border protection officer, or air traffic controller that, in the aggregate,”; and

(2) in paragraph (2), by striking “so much of such individual’s total service as exceeds 20 years” and inserting “the remainder of such individual’s total service”.

(e) EFFECTIVE DATE.—This section (including the amendments made by this section) shall take effect 60 days after the date of the enactment of this Act and shall apply to appointments made on or after that effective date.

SEC. 1087. SENSE OF CONGRESS ON MANNED AIRBORNE IRREGULAR WARFARE PLATFORMS.

It is the sense of Congress that the Secretary of Defense should, with regard to the development of manned airborne irregular warfare platforms, coordinate requirements for such weapons systems with the military services, including the reserve components.

SEC. 1088. EXTENSION OF SUNSET FOR CONGRESSIONAL COMMISSION ON THE STRATEGIC POSTURE OF THE UNITED STATES.

(a) FINDINGS.—Congress makes the following findings:

(1) Congress is grateful for the service and leadership of the members of the bipartisan Congressional Commission on the Strategic Posture of the United States, who, pursuant to section 1062 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 319), spent more than one year examining the strategic posture of the United States in all of its aspects: deterrence strategy, missile defense, arms control initiatives, and nonproliferation strategies.

(2) The Commission, comprised of some of the most preeminent scholars and technical experts in the United States in the subject matter, found a bipartisan consensus on these issues in its Final Report made public on May 6, 2009.

(3) Congress appreciates the service of former Secretary of Defense William Perry, former Secretary of Defense and Energy James Schlesinger, former Senator John Glenn, former Congressman Lee Hamilton, Ambassador James Woolsey, Doctors John Foster, Fred Ikle, Keith Payne, Morton Halperin, Ellen Williams, Bruce Tarter, and Harry Cartland, and the United States Institute of Peace.

(4) Congress values the work of the Commission and pledges to work with President Barack Obama to address the findings and review and consider the recommendations of the Commission.

(b) EXTENSION OF SUNSET.—Section 1062 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 319) is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(2) in subsection (h), as redesignated by paragraph (1), by striking “September 30, 2009” and inserting “September 30, 2010”; and

(3) by inserting after subsection (e) the following new subsection:

“(f) FOLLOW-ON REPORT.—Following submission of the report required in subsection (e), the Commission may conduct public outreach and discussion of the matters contained in the report.”.

SEC. 1089. ADDITIONAL MEMBERS AND DUTIES FOR INDEPENDENT PANEL TO ASSESS THE QUADRENNIAL DEFENSE REVIEW.

(a) FINDING.—Congress understands that the independent panel appointed by the Secretary of Defense pursuant to section 118(f) of title 10, United States Code, will be comprised of twelve members equally divided on a bipartisan basis.

(b) SENSE OF CONGRESS ON INDEPENDENT PANEL.—It is the sense of Congress that the independent panel appointed by the Secretary of Defense pursuant to section 118(f) of title 10, United States Code, should be comprised of members equally divided on a bipartisan basis.

(c) ADDITIONAL MEMBERS.—

(1) IN GENERAL.—For purposes of conducting the assessment of the 2009 quadrennial defense review under section 118 of title 10, United States Code (in this section referred to as the “2009 QDR”), the independent panel established under subsection (f) of such section (in this section referred to as the “Panel”) shall include eight additional members to be appointed as follows:

(A) Two by the chairman of the Committee on Armed Services of the House of Representatives.

(B) Two by the chairman of the Committee on Armed Services of the Senate.

(C) Two by the ranking member of the Committee on Armed Services of the House of Representatives.

(D) Two by the ranking member of the Committee on Armed Services of the Senate.

(2) PERIOD OF APPOINTMENT; VACANCIES.—Any vacancy in an appointment to the Panel under paragraph (1) shall be filled in the same manner as the original appointment.

(d) ADDITIONAL DUTIES OF PANEL FOR 2009 QDR.—In addition to the duties of the Panel under section 118(f) of title 10, United States Code, the Panel shall, with respect to the 2009 QDR—

(1) conduct an independent assessment of a variety of possible force structures of the Armed Forces, including the force structure identified in the report of the 2009 QDR; and

(2) make any recommendations it considers appropriate for consideration.

(e) REPORT OF SECRETARY OF DEFENSE.—Not later than 30 days after the Panel submits its report with respect to the 2009 QDR under section 118(f)(2) of title 10, United States Code, the Sec-

retary of Defense, after consultation with the Chairman of the Joint Chiefs of Staff, shall submit to the congressional defense committees any comments of the Secretary on the report of the Panel.

(f) TERMINATION.—The provisions of this section shall terminate on the day that is 45 days after the date on which the Panel submits its report with respect to the 2009 QDR under section 118(f)(2) of title 10, United States Code.

SEC. 1090. CONTRACTING IMPROVEMENTS.

(a) DEFINITIONS.—In this section—

(1) the terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively; and

(2) the terms “HUBZone small business concern”, “small business concern”, “small business concern owned and controlled by service-disabled veterans”, and “small business concern owned and controlled by women” have the same meanings as in section 3 of the Small Business Act (15 U.S.C. 632).

(b) CONTRACTING OPPORTUNITIES.—Section 31(b)(2)(B) of the Small Business Act (15 U.S.C. 657a(b)(2)(B)) is amended by striking “shall” and inserting “may”.

(c) CONTRACTING GOALS.—Section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1)) is amended in the fourth sentence by inserting “and subcontract” after “not less than 3 percent of the total value of all prime contract”.

(d) MENTOR-PROTEGE PROGRAMS.—The Administrator may establish mentor-protége programs for small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by women, and HUBZone small business concerns modeled on the mentor-protége program of the Administration for small business concerns participating in programs under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

SEC. 1091. NATIONAL D-DAY MEMORIAL STUDY.

(a) DEFINITIONS.—In this section:

(1) AREA.—The term “Area” means in the National D-Day Memorial in Bedford, Virginia.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study of the Area to evaluate the national significance of the Area and suitability and feasibility of designating the Area as a unit of the National Park System.

(2) CRITERIA.—In conducting the study required by paragraph (1), the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)).

(3) CONTENTS.—The study required by paragraph (1) shall—

(A) determine the suitability and feasibility of designating the Area as a unit of the National Park System;

(B) include cost estimates for any necessary acquisition, development, operation, and maintenance of the Area; and

(C) identify alternatives for the management, administration, and protection of the Area.

(c) REPORT.—Section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)) shall apply to the conduct of the study required by this section, except that the study shall be submitted to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than 3 years after the date on which funds are first made available for the study.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—Personnel

SEC. 1101. REPEAL OF NATIONAL SECURITY PERSONNEL SYSTEM; DEPARTMENT OF DEFENSE PERSONNEL AUTHORITIES.

(a) REPEAL OF AUTHORITY TO ESTABLISH NATIONAL SECURITY PERSONNEL SYSTEM.—Section 9902 of title 5, United States Code, is amended—

(1) by striking subsections (a), (b), (c), (d), (e), (i), and (j); and

(2) by redesignating subsections (f), (g), and (h) as subsections (d), (e), and (f) respectively.

(b) PERIOD FOR TERMINATION OF NATIONAL SECURITY PERSONNEL SYSTEM.—

(1) APPLICABILITY OF PRIOR LAW TO UNITS IN NSPS.—Notwithstanding the amendments made by this section, the provisions of section 9902 of title 5, United States Code, as in effect on the day before the date of the enactment of this Act, shall apply to organizational and functional units included in the National Security Personnel System as of January 20, 2009, for a period of one year after the date of the enactment of this Act.

(2) TRANSITION OF UNITS FROM NSPS.—The Secretary of Defense shall ensure the orderly transition of all organizational and functional units covered by paragraph (1) from the National Security Personnel System by not later than one year after the date of the enactment of this Act. The Secretary shall ensure that no employee is subject to a reduction in pay as a result of such transition.

(3) REMOVAL OF LIMITATION ON PAY ADJUSTMENT.—Notwithstanding section 9902(e)(7) of title 5, United States Code (as in effect on the day before the date of the enactment of this Act), at the time of any annual adjustment to pay schedules pursuant to section 5303 of such title during the transitional period provided in paragraph (1), the rate of basic pay for each employee described in section 9902(e)(7), as so in effect, shall be adjusted by 100 percent of the amount of such adjustment.

(4) CURRENT RULES INVALID.—Any rule or implementing issuance adopted before the date of the enactment of this Act to implement any provision of section 9902 of title 5, United States Code (other than subsections (d), (e), and (f) of such section (as redesignated by subsection (a)(2))), shall cease to be effective on the date that is one year after the date of the enactment of this Act.

(c) AUTHORITY RELATING TO PERSONNEL MANAGEMENT AND WORKFORCE INCENTIVES.—Section 9902 of such title is further amended by inserting before subsection (d), as redesignated by subsection (a)(2) of this section, the following new subsections:

“(a) PERSONNEL MANAGEMENT.—(1) The Secretary may waive the requirements of chapter 33, and the regulations implementing such chapter, to the extent the Secretary considers appropriate to establish and implement regulations providing for the following:

“(A) Fair, credible, and transparent methods of establishing qualification requirements for, recruitment for, and appointments to employment positions.

“(B) Fair, credible, and transparent methods of assigning, reassigning, detailing, transferring, or promoting employees.

“(2) In implementing this subsection, the Secretary shall comply with the provisions of section 2302(b)(11), regarding veterans' preference requirements, in a manner comparable to that in which such provisions are applied under chapter 33.

“(3) Any action taken by the Secretary under this subsection, or to implement this subsection, shall be subject to the requirements subsection (c) and chapter 71.

“(b) PERFORMANCE MANAGEMENT AND WORKFORCE INCENTIVES.—(1) The Secretary may waive the requirements of chapters 43 (other than sections 4302 and 4303(e)) and 45, and the regulations implementing such chapters, to the extent the Secretary considers appropriate to establish and implement regulations providing for the following:

“(A) A fair, credible, and transparent performance appraisal system for employees.

“(B) A fair, credible, and transparent system for linking employee bonuses and other performance-based actions to performance appraisals of employees.

“(C) A process for ensuring ongoing performance feedback and dialogue among supervisors, managers, and employees throughout the appraisal period and setting timetables for review.

“(2)(A) The Secretary may establish a fund to be known as the ‘Department of Defense Civilian Workforce Incentive Fund’ (in this paragraph referred to as the ‘Fund’).

“(B) The Fund shall consist of the following:

“(i) Amounts appropriated to the Fund.

“(ii) Amounts available for compensation of employees that are transferred to the Fund.

“(C) Amounts in the Fund shall be available as follows:

“(i) For incentive payments to employees based on individual or team performance.

“(ii) For incentive payments to employees for purposes of the employment and retention as employees of qualified individuals with particular competencies or qualifications.

“(3) Any action taken by the Secretary under this subsection, or to implement this subsection, shall be subject to the requirements of subsection (c) and chapter 71.

“(c) CRITERIA FOR USE OF NEW PERSONNEL AUTHORITIES.—In establishing any new personnel management system under subsection (a) or new performance management and workforce incentive system under subsection (b), the Secretary shall—

“(1) adhere to merit principles set forth in section 2301;

“(2) include a means for ensuring employee involvement in the design and implementation of such system;

“(3) provide for adequate training and retraining for supervisors, managers, and employees in the implementation and operation of such system;

“(4) include effective transparency and accountability measures and safeguards to ensure that the management of such system is fair, credible, and equitable, including appropriate independent reasonableness reviews, internal assessments, and employee surveys; and

“(5) ensure that adequate agency resources are allocated for the design, implementation, and administration of such system.”.

(d) CONFORMING CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

“§9902. Department of Defense personnel authorities”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 99 of such title is amended by striking the item relating to section 9902 and inserting the following new item:

“9902. Department of Defense personnel authorities”.

(e) MODIFICATION OF IMPLEMENTATION AUTHORITIES AND LIMITATIONS.—Section 1106 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 349) is amended—

(1) by striking subsection (b);

(2) by redesignating subsection (c) as subsection (b); and

(3) in subsection (b), as redesignated by paragraph (2)—

(A) by striking paragraph (1) and inserting the following new paragraph (1):

“(1) The Comptroller General shall conduct annual reviews in calendar years 2010, 2011, and 2012 of—

“(A) employee satisfaction with any processes established pursuant to regulations promulgated by the Secretary of Defense pursuant to section 9902 of title 5, United States Code; and

“(B) the extent to which any processes so established are fair, credible, and transparent, as required by such section 9902.”; and

(B) in paragraph (2), by striking “the National Security Personnel System” and inserting “any processes established pursuant to such regulations”.

(f) ADDITIONAL CONFORMING AMENDMENT.—Section 1108(b) of the Duncan Hunter National

Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4618; 10 U.S.C. 1580 note) is amended by striking “identified in section 9902(c)(2) of title 5, United States Code.” and inserting “as follows:

“(1) The Aviation and Missile Research Development and Engineering Center.

“(2) The Army Research Laboratory.

“(3) The Medical Research and Materiel Command.

“(4) The Engineer Research and Development Command.

“(5) The Communications-Electronics Command.

“(6) The Soldier and Biological Chemical Command.

“(7) The Naval Sea Systems Command Centers.

“(8) The Naval Research Laboratory.

“(9) The Office of Naval Research.

“(10) The Air Force Research Laboratory.”.

(g) WAIVER.—Subsection (a) through (f) of this section and the amendments made by such subsections shall not take effect if, not later than 60 days after the date of the enactment of this Act, the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives a report that includes—

(1) a certification that—

(A) the termination of the National Security Personnel System would not be in the best interest of the Department of Defense;

(B) the Secretary intends to implement changes during fiscal year 2010 to improve the fairness, credibility, and transparency of the National Security Personnel System; and

(C) the Secretary has determined that the changes to be made pursuant to subparagraph (B) will result in improved employee acceptance of the National Security Personnel System; and

(2) a description of the changes that the Secretary intends to implement and the schedule for implementing such changes.

(h) EXPANSION PROHIBITED.—If the Secretary of Defense submits a report and certification under subsection (g) and the National Security Personnel System is not terminated, the National Security Personnel System may not be extended to organizational and functional units of the Department of Defense not included in such system as of June 1, 2009, unless specifically authorized by statute enacted after the date of the enactment of this Act.

SEC. 1102. EXTENSION AND MODIFICATION OF EXPERIMENTAL PERSONNEL MANAGEMENT PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.

(a) THREE-YEAR EXTENSION.—Subsection (e)(1) of section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note) is amended by striking “September 30, 2011” and inserting “September 30, 2014”.

(b) LIMITATIONS ON ADDITIONAL PAYMENTS.—Such section is further amended—

(1) in subsection (b)(3), by striking “under subsection (d)(1)” and inserting “under subsection (d)”;

(2) by striking subsection (d) and inserting the following new subsection (d):

“(d) LIMITATIONS ON ADDITIONAL PAYMENTS.—(1) Subject to paragraph (3), the total amount of additional payments paid to an employee under subsection (b)(3) for any 12-month period may not exceed the lesser of the amounts as follows:

“(A) \$50,000 in fiscal year 2010, which may be adjusted annually thereafter by the Secretary, with a percentage increase equal to one-half of 1 percentage point less than the percentage by which the Employment Cost Index, published quarterly by the Bureau of Labor Statistics, for the base quarter of the year before the preceding calendar year exceeds the Employment Cost

Index for the base quarter of the second year before the preceding calendar year.

“(B) The amount equal to 50 percent of the employee’s annual rate of basic pay.

“(2) In paragraph (1), the term ‘base quarter’ has the meaning given that term in section 5302(3) of title 5, United States Code.

“(3) Notwithstanding any other provision of this section or section 5307 of title 5, United States Code, no additional payments may be paid to an employee under subsection (b)(3) in any calendar year if, or to the extent that, the employee’s total annual compensation in such calendar year will exceed the maximum amount of total annual compensation payable at the salary set in accordance with section 104 of title 3, United States Code.

“(4) An employee appointed under the program is not eligible for any bonus, monetary award, or other monetary incentive for service under the appointment other than payments authorized by this section.”

(c) **REPORTING REQUIREMENTS.**—Paragraph (1) of subsection (g) of such section is amended to read as follows:

“(1)(A) Not later than December 31 each year in which the authority under this section is in effect, the Secretary of Defense shall submit to the committees of Congress specified in subparagraph (B) a report on the program. Each report shall cover the 12-month period preceding the date of the submittal of such report.

“(B) The committees of Congress specified in this subparagraph are—

“(i) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

“(ii) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives”.

SEC. 1103. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

(a) **EXTENSION OF AUTHORITY.**—Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4615) is amended by striking “calendar year 2009” and inserting “calendar years 2009 and 2010”.

(b) **CLARIFICATION OF EXEMPTION FROM AGGREGATE LIMITATIONS ON PAY.**—Subsection (b) of such section is amended by striking “Section 5307 of title 5, United States Code” and inserting “Aggregate limitations on pay, whether established by law or regulation”.

SEC. 1104. AVAILABILITY OF FUNDS FOR COMPENSATION OF CERTAIN CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) **AVAILABILITY OF FUNDS.**—Notwithstanding any other provision of law, funds authorized to be appropriated for the Department of Defense that are available for the purchase of contract services to meet a requirement that is anticipated to continue for five years or more shall be available to provide compensation for civilian employees of the Department to meet the same requirement.

(b) **REGULATIONS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall prescribe regulations implementing the authority in subsection (a). Such regulations—

(1) shall ensure that the authority in subsection (a) is utilized to build government capabilities that are needed to perform inherently governmental functions, functions closely associated with inherently governmental functions, and other critical functions;

(2) shall include a mechanism to ensure that follow-on funding to provide compensation for civilian employees of the Department to perform functions described in paragraph (1) is provided from appropriate accounts; and

(3) may establish additional criteria and levels of approval within the Department for the utilization of funds to provide compensation for civilian employees of the Department pursuant to subsection (a).

(c) **ANNUAL REPORT.**—Not later than 60 days after the end of each fiscal year for which the authority in subsection (a) is in effect, the Secretary shall submit to the congressional defense committees a report on the use of such authority. Each report shall cover the preceding fiscal year and shall identify, at a minimum, the following:

(1) The amount of funds used under the authority in subsection (a) to provide compensation for civilian employees.

(2) The source or sources of the funds so used.

(3) The number of civilian employees employed through the use of such funds.

(4) The actions taken by the Secretary to ensure that follow-on funding for such civilian employees is provided through appropriate accounts.

(d) **TEMPORARY AUTHORITY.**—The authority in subsection (a) shall apply to funds authorized to be appropriated for the Department of Defense fiscal years 2010 through 2019.

SEC. 1105. DEPARTMENT OF DEFENSE CIVILIAN LEADERSHIP PROGRAM.

(a) **LEADERSHIP PROGRAM REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a program of leadership recruitment and development for civilian employees of the Department of Defense, to be known as the “Department of Defense Civilian Leadership Program” (in this section referred to as the “program”).

(2) **OBJECTIVES.**—The objectives of the program shall be as follows:

(A) To develop a new generation of civilian leaders for the Department of Defense.

(B) To recruit individuals with the academic merit, work experience, and demonstrated leadership skills to meet the future needs of the Department.

(C) To offer rapid advancement, competitive compensation, and leadership opportunities to highly-qualified civilian employees of the Department.

(3) **AVAILABLE AUTHORITIES.**—In carrying out the program, the Secretary may exercise any authority available to the Office of Personnel Management under section 4703 of title 5, United States Code, except that the Secretary shall not be bound by the limitations in subsection (d) of such section. Nothing in this section shall be construed to authorize the waiver of any part of chapter 71 of title 5, United States Code, or any regulation implementing such chapter, in the carrying out of the program.

(b) **ELIGIBLE INDIVIDUALS.**—

(1) **IN GENERAL.**—The following individuals shall be eligible to participate in the program:

(A) Current employees of the Department of Defense.

(B) Appropriate individuals in the private sector.

(2) **LIMITATION ON NUMBER OF ENTRANTS INTO PROGRAM.**—The total number of individuals who may enter into the program in any fiscal year may not exceed 5,000.

(c) **ELEMENTS OF PROGRAM.**—

(1) **COMPETITIVE ENTRY.**—The selection of individuals for entry into the program shall be made on the basis of a competition conducted at least twice each year. In each competition, participants in the program shall be selected from among applicants determined by the Secretary to be the most highly qualified in terms of academic merit, work experience, and demonstrated leadership skills. Each competition shall provide for entry-level participants and midcareer participants in the program.

(2) **ALLOCATION OF POSITIONS.**—The Secretary shall allocate positions in the program among the components of the Department of Defense that—

(A) offer the most challenging assignments; and
(B) provide the greatest level of responsibility;

and
(C) demonstrate the greatest need for participants in the program.

(3) **ASSIGNMENTS TO POSITIONS.**—Participants in the program shall be assigned to components of the Department that best match their skills and qualifications. Participants in the program may be rotated among components of the Department of Defense at the discretion of the Secretary.

(4) **INITIAL COMPENSATION.**—The initial compensation of participants in the program shall be determined by the Secretary based on the qualifications of such participants and applicable market conditions.

(5) **EDUCATION AND TRAINING.**—The Secretary shall provide participants in the program with training, mentoring, and educational opportunities that are appropriate to facilitate the development of such participants into effective civilian leaders for the Department of Defense.

(6) **OBJECTIVE, MERIT-BASED PRINCIPLES FOR PERSONNEL DECISIONS.**—The Secretary shall make personnel decisions under the program in accordance with such objective, merit-based criteria as the Secretary shall prescribe in regulations for purposes of the program. Such criteria shall include, but not be limited to, criteria applicable to the following:

(A) The selection of individuals for entry into the program.

(B) The assignment of participants in the program to positions in the Department of Defense.

(C) The initial compensation of participants in the program.

(D) The access of participants in the program to training, mentoring, and educational opportunities under the program.

(E) The consideration of participants in the program for selection into the senior management, functional, and technical workforce of the Department.

(7) **CONSIDERATION FOR SENIOR MANAGEMENT, FUNCTIONAL, AND TECHNICAL WORKFORCE.**—Any participant in the program who, as determined by the Secretary, demonstrates outstanding performance shall be afforded priority in consideration for selection into the appropriate element of the senior management, functional, and technical workforce of the Department of Defense (as set forth in section 1102(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2407)).

SEC. 1106. REVIEW OF DEFENSE LABORATORIES FOR PARTICIPATION IN DEFENSE LABORATORY PERSONNEL DEMONSTRATION PROJECTS.

(a) **REVIEW REQUIRED.**—The Secretary of Defense shall undertake a review of defense laboratories not currently included in personnel demonstration projects authorized by section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2721), as amended by section 1114 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-315), to determine whether or not any laboratory so reviewed would benefit from the extension to such laboratory of the personnel management flexibilities available under such section 342(b), as so amended.

(b) **COVERED LABORATORIES.**—The laboratories covered by the review required by subsection (a) shall include, but not be limited to, the following:

(1) Laboratories within the Army Research, Development, and Engineering Command.

(2) Army Tank and Automotive Research, Development, and Engineering Center.

(3) Army Armament Research, Development, and Engineering Center.

(4) Naval Air Warfare Center, Weapons Division.

(5) Naval Air Warfare Center, Aircraft Division.

(6) Space and Naval Warfare Systems Center, Pacific.

(7) Space and Naval Warfare Systems Center, Atlantic.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report setting forth the results of the review required by subsection (a).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

Subtitle B—Part-Time Reemployment of Annuitants

SEC. 1161. SHORT TITLE.

This subtitle may be cited as the “Part-Time Reemployment of Annuitants Act of 2009”.

SEC. 1162. PART-TIME REEMPLOYMENT.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8344 of title 5, United States Code, is amended—

(1) by redesignating subsection (l) as subsection (m);

(2) by inserting after subsection (k) the following:

“(l)(1) For purposes of this subsection—

“(A) the term ‘head of an agency’ means—

“(i) the head of an Executive agency, other than the Department of Defense or the Government Accountability Office;

“(ii) the head of the United States Postal Service;

“(iii) the Director of the Administrative Office of the United States Courts, with respect to employees of the judicial branch; and

“(iv) any employing authority described under subsection (k)(2), other than the Government Accountability Office; and

“(B) the term ‘limited time appointee’ means an annuitant appointed under a temporary appointment limited to 1 year or less.

“(2) The head of an agency may waive the application of subsection (a) or (b) with respect to any annuitant who is employed in such agency as a limited time appointee, if the head of the agency determines that the employment of the annuitant is necessary to—

“(A) fulfill functions critical to the mission of the agency, or any component of that agency;

“(B) assist in the implementation or oversight of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) or the Troubled Asset Relief Program under title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.);

“(C) assist in the development, management, or oversight of agency procurement actions;

“(D) assist the Inspector General for that agency in the performance of the mission of that Inspector General;

“(E) promote appropriate training or mentoring programs of employees;

“(F) assist in the recruitment or retention of employees; or

“(G) respond to an emergency involving a direct threat to life of property or other unusual circumstances.

“(3) The head of an agency may not waive the application of subsection (a) or (b) with respect to an annuitant—

“(A) for more than 520 hours of service performed by that annuitant during the period ending 6 months following the individual’s annuity commencing date;

“(B) for more than 1040 hours of service performed by that annuitant during any 12-month period; or

“(C) for more than a total of 3120 hours of service performed by that annuitant.

“(4)(A) The total number of annuitants to whom a waiver by the head of an agency under this subsection or section 8468(i) applies may not exceed 2.5 percent of the total number of full-time employees of that agency.

“(B) If the total number of annuitants to whom a waiver by the head of an agency under this subsection or section 8468(i) applies exceeds 1 percent of the total number of full-time employees of that agency, the head of that agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Office of Personnel Management—

“(i) a report with an explanation that justifies the need for the waivers in excess of that percentage; and

“(ii) not later than 180 days after submitting the report under clause (i), a succession plan.

“(5)(A) The Director of the Office of Personnel Management may promulgate regulations providing for the administration of this subsection.

“(B) Any regulations promulgated under subparagraph (A) may—

“(i) provide standards for the maintenance and form of necessary records of employment under this subsection;

“(ii) to the extent not otherwise expressly prohibited by law, require employing agencies to provide records of such employment to the Office of Personnel Management or other employing agencies as necessary to ensure compliance with paragraph (3);

“(iii) authorize other administratively convenient periods substantially equivalent to 12 months, such as 26 pay periods, to be used in determining compliance with paragraph (3)(B);

“(iv) include such other administrative requirements as the Director of the Office of Personnel Management may find appropriate to provide for the effective operation of, or to ensure compliance with, this subsection; and

“(v) encourage the training and mentoring of employees by any limited time appointee employed under this subsection.

“(6)(A) Any hours of training or mentoring of employees by any limited time appointee employed under this subsection shall not be included in the hours of service performed for purposes of paragraph (3), but those hours of training or mentoring may not exceed 520 hours.

“(B) If the primary service performed by any limited time appointee employed under this subsection is training or mentoring of employees, the hours of that service shall be included in the hours of service performed for purposes of paragraph (3).

“(7) The authority of the head of an agency under this subsection to waive the application of subsection (a) or (b) shall terminate 5 years after the date of enactment of the Part-Time Reemployment of Annuitants Act of 2009.”; and

(3) in subsection (m) (as so redesignated)—

(A) in paragraph (1), by striking “(k)” and inserting “(l)”; and

(B) in paragraph (2), by striking “or (k)” and inserting “(k), or (l)”.

(b) FEDERAL EMPLOYEE RETIREMENT SYSTEM.—Section 8468 of title 5, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j);

(2) by inserting after subsection (h) the following:

“(i)(1) For purposes of this subsection—

“(A) the term ‘head of an agency’ means—

“(i) the head of an Executive agency, other than the Department of Defense or the Government Accountability Office;

“(ii) the head of the United States Postal Service;

“(iii) the Director of the Administrative Office of the United States Courts, with respect to employees of the judicial branch; and

“(iv) any employing authority described under subsection (h)(2), other than the Government Accountability Office; and

“(B) the term ‘limited time appointee’ means an annuitant appointed under a temporary appointment limited to 1 year or less.

“(2) The head of an agency may waive the application of subsection (a) with respect to any annuitant who is employed in such agency as a limited time appointee, if the head of the agency determines that the employment of the annuitant is necessary to—

“(A) fulfill functions critical to the mission of the agency, or any component of that agency;

“(B) assist in the implementation or oversight of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) or the Troubled Asset Relief Program under title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.);

“(C) assist in the development, management, or oversight of agency procurement actions;

“(D) assist the Inspector General for that agency in the performance of the mission of that Inspector General;

“(E) promote appropriate training or mentoring programs of employees;

“(F) assist in the recruitment or retention of employees; or

“(G) respond to an emergency involving a direct threat to life of property or other unusual circumstances.

“(3) The head of an agency may not waive the application of subsection (a) with respect to an annuitant—

“(A) for more than 520 hours of service performed by that annuitant during the period ending 6 months following the individual’s annuity commencing date;

“(B) for more than 1040 hours of service performed by that annuitant during any 12-month period; or

“(C) for more than a total of 3120 hours of service performed by that annuitant.

“(4)(A) The total number of annuitants to whom a waiver by the head of an agency under this subsection or section 8344(l) applies may not exceed 2.5 percent of the total number of full-time employees of that agency.

“(B) If the total number of annuitants to whom a waiver by the head of an agency under this subsection or section 8344(l) applies exceeds 1 percent of the total number of full-time employees of that agency, the head of that agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Office of Personnel Management—

“(i) a report with an explanation that justifies the need for the waivers in excess of that percentage; and

“(ii) not later than 180 days after submitting the report under clause (i), a succession plan.

“(5)(A) The Director of the Office of Personnel Management may promulgate regulations providing for the administration of this subsection.

“(B) Any regulations promulgated under subparagraph (A) may—

“(i) provide standards for the maintenance and form of necessary records of employment under this subsection;

“(ii) to the extent not otherwise expressly prohibited by law, require employing agencies to provide records of such employment to the Office or other employing agencies as necessary to ensure compliance with paragraph (3);

“(iii) authorize other administratively convenient periods substantially equivalent to 12 months, such as 26 pay periods, to be used in determining compliance with paragraph (3)(B);

“(iv) include such other administrative requirements as the Director of the Office of Personnel Management may find appropriate to provide for effective operation of, or to ensure compliance with, this subsection; and

“(v) encourage the training and mentoring of employees by any limited time appointee employed under this subsection.

“(6)(A) Any hours of training or mentoring of employees by any limited time appointee employed under this subsection shall not be included in the hours of service performed for purposes of paragraph (3), but those hours of training or mentoring may not exceed 520 hours.

“(B) If the primary service performed by any limited time appointee employed under this subsection is training or mentoring of employees, the hours of that service shall be included in the hours of service performed for purposes of paragraph (3).

“(7) The authority of the head of an agency under this subsection to waive the application of subsection (a) shall terminate 5 years after the date of enactment of the Part-Time Reemployment of Annuitants Act of 2009.”; and

(3) in subsection (j) (as so redesignated)—

(A) in paragraph (1), by striking “(h)” and inserting “(i)”;

(B) in paragraph (2), by striking “or (h)” and inserting “(h), or (i)”.

(c) **RULE OF CONSTRUCTION.**—Nothing in the amendments made by this section may be construed to authorize the waiver of the hiring preferences under chapter 33 of title 5, United States Code in selecting annuitants to employ in an appointive or elective position.

(d) **TECHNICAL AND CONFORMING AMENDMENTS.**—Section 1005(d)(2) of title 39, United States Code, is amended—

(1) by striking “(l)(2)” and inserting “(m)(2)”;

and

(2) by striking “(i)(2)” and inserting “(j)(2)”.

SEC. 1163. GENERAL ACCOUNTABILITY OFFICE REPORT.

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report regarding the use of the authority under the amendments made by section 1162.

(b) **CONTENTS.**—The report submitted under subsection (a) shall—

(1) include the number of annuitants for whom a waiver was made under subsection (1) of section 8344 of title 5, United States Code, as amended by this subtitle, or subsection (i) of section 8468 of title 5, United States Code, as amended by this subtitle; and

(2) identify each agency that used the authority described in paragraph (1).

(c) **AGENCY DATA.**—Each head of an agency (as defined under sections 8344(l)(1) and 8468(i)(1)(A) of title 5, United States Code, as added by section 1162 of this subtitle) shall—

(1) collect and maintain data necessary for purposes of the Comptroller General report submitted under subsection (a); and

(2) submit to the Comptroller General that data as the Comptroller General requires in a timely fashion.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. INCREASE IN UNIT COST THRESHOLD FOR PURCHASES USING CERTAIN FUNDS UNDER THE COMBATANT COMMANDER INITIATIVE FUND.

(a) **INCREASE.**—

(1) **IN GENERAL.**—Subsection (e)(1)(A) of section 166a of title 10, United States Code, is amended by striking “\$15,000” and inserting “the investment unit threshold in effect under section 2245a of this title”.

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall take effect on October 1, 2009, and shall apply with respect to funds available under the Combatant Commander Initiative Fund for fiscal years that begin on or after that date.

(b) **CLARIFYING AMENDMENTS.**—

(1) **CLERICAL AMENDMENT.**—The section heading of such section is amended to read as follows:

“§ 166a. Combatant commands: funding through the Chairman of the Joint Chiefs of Staff from Combatant Commander Initiative Fund”.

(2) **TABLE OF SECTIONS.**—The table of sections at the beginning of chapter 6 of such title is amended by striking the item relating to section 166a and inserting the following new item:

“166a. Combatant commands: funding through the Chairman of the Joint Chiefs of Staff from Combatant Commander Initiative Fund.”.

SEC. 1202. AUTHORITY TO PROVIDE ADMINISTRATIVE SERVICES AND SUPPORT TO COALITION LIAISON OFFICERS OF CERTAIN FOREIGN NATIONS ASSIGNED TO UNITED STATES JOINT FORCES COMMAND.

(a) **EXTENSION OF AUTHORITY.**—Subsection (a) of section 1051a of title 10, United States Code, is amended—

(1) by striking “assigned temporarily” and inserting “assigned temporarily as follows”;

(2) by designating the remainder of the text of that subsection as paragraph (1) and indenting that text two ems from the left margin;

(3) in paragraph (1), as so designated, by striking “to the headquarters” and inserting “To the headquarters”;

(4) by adding at the end the following new paragraph:

“(2) To the headquarters of the combatant command assigned by the Secretary of Defense the mission of joint warfighting experimentation and joint forces training.”.

(b) **EFFECTIVE DATE.**—Paragraph (2) of section 1051a(a) of title 10, United States Code (as added by subsection (a)), shall take effect on October 1, 2009, or the date of the enactment of this Act, whichever is later.

SEC. 1203. MODIFICATION OF AUTHORITIES RELATING TO PROGRAM TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.

(a) **TEMPORARY LIMITATION ON AMOUNT FOR BUILDING CAPACITY FOR MILITARY AND STABILITY OPERATIONS.**—Section 1206(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3456), as amended by section 1206 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2418) and section 1206 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4625), is further amended by adding at the end the following new paragraph:

“(5) **TEMPORARY LIMITATION ON AMOUNT FOR BUILDING CAPACITY TO PARTICIPATE IN OR SUPPORT MILITARY AND STABILITY OPERATIONS.**—Of the funds used to carry out a program under subsection (a), not more than \$75,000,000 may be used during fiscal year 2010, and not more than \$75,000,000 may be used during fiscal year 2011, for purposes described in subsection (a)(1)(B).”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on October 1, 2009, and shall apply with respect to programs under section 1206(a) of the National Defense Authorization Act for Fiscal Year 2006 that begin on or after that date.

SEC. 1204. MODIFICATION OF NOTIFICATION AND REPORTING REQUIREMENTS FOR USE OF AUTHORITY FOR SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

(a) **NOTIFICATION.**—Section 1208(c) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2086), as amended by section 1208(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4626), is further amended to read as follows:

“(c) **NOTIFICATION.**—

“(1) **SUPPORT FOR FOREIGN FORCES.**—The Secretary of Defense shall notify the congressional defense committees expeditiously, and in any event not later than 48 hours, after—

“(A) using the authority provided in subsection (a) to make funds available for foreign forces in support of an approved military operation; or

“(B) changing the scope or funding level of any such support.

“(2) **SUPPORT FOR IRREGULAR FORCES, GROUPS, OR INDIVIDUALS.**—The Secretary of Defense may not exercise the authority provided in subsection (a) to make funds available for irregular forces or a group (other than foreign forces) or individual in support of an approved military operation, or change the scope or funding level of such support, until 72 hours after notifying the congressional defense committees of the use of such authority with respect to that operation or such change in scope or funding level.

“(3) **CONTENT.**—Notifications required under this subsection shall include the following information:

“(A) The type of support provided or to be provided to United States special operations forces.

“(B) The type of support provided or to be provided to the recipient of the funds.

“(C) The intended duration of the support.

“(D) The amount obligated under the authority to provide support.”.

(b) **ANNUAL REPORT.**—Section 1208(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2086) is amended in the second sentence by striking “shall describe the support” and all that follows through the period at the end and inserting “shall include the following information:

“(1) A description of supported operations.

“(2) A summary of operations.

“(3) The type of recipients that received support, identified by authorized category (foreign forces, irregular forces, groups, or individuals).

“(4) The total amount obligated in the previous fiscal year, including budget details.

“(5) The total amount obligated in prior fiscal years.

“(6) The intended duration of support.

“(7) A description of support or training provided to the recipients of support.

“(8) A value assessment of the operational support provided.”.

SEC. 1205. MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) **EXPANSION OF AUTHORITY.**—Section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393) is amended—

(1) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and

(2) by striking subsection (a) and inserting the following new subsections:

“(a) **REIMBURSEMENT.**—

“(1) **IN GENERAL.**—Using applicable funds referred to in paragraph (2), the Secretary of Defense may reimburse any key cooperating nation for the following:

“(A) During fiscal year 2008, logistical and military support provided by that nation to or in connection with United States military operations in Operation Iraqi Freedom or Operation Enduring Freedom.

“(B) During fiscal year 2010, logistical, military, and other support, including access, provided by that nation to or in connection with United States military operations described in subparagraph (A).

“(2) **COVERED FUNDS.**—The funds referred to in this subsection are the following:

“(A) For purposes of paragraph (1)(A), amounts authorized to be appropriated for fiscal year 2008 by section 1508 for operation and maintenance.

“(B) For purposes of paragraph (1)(B), amounts authorized to be appropriated for fiscal year 2010 by section 1507(5) for operation and maintenance, Defense-wide activities.

“(b) OTHER SUPPORT.—Using funds described in subsection (a)(2)(B), the Secretary of Defense may also assist any key cooperating nation supporting United States military operations in Operation Iraqi Freedom or Operation Enduring Freedom in Afghanistan through the following:

“(1) The provision of specializing training to personnel of that nation in connection with such operations, including training of such personnel before deployment in connection with such operations.

“(2) The procurement and provision of supplies to that nation in connection with such operations.

“(3) The procurement of specialized equipment and the loaning of such specialized equipment to that nation on a non-reimbursable basis in connection with such operations.”.

(b) AMOUNTS OF SUPPORT.—Paragraph (2) of subsection (c) of such section, as redesignated by subsection (a)(1) of this section, is amended to read as follows:

“(2) SUPPORT.—Support authorized by subsection (b) may be provided in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of the Office of Management and Budget, considers appropriate.”.

(c) LIMITATIONS ON AMOUNTS DURING FISCAL YEAR 2010.—Paragraph (1) of subsection (d) of such section, as so redesignated, is amended to read as follows:

“(1) LIMITATIONS ON AMOUNTS.—(A) The total amount of reimbursements made under the authority in subsection (a) during fiscal year 2008 may not exceed \$1,200,000,000.

“(B) The aggregate amount of reimbursements made under subsection (a) and support provided under subsection (b) during fiscal year 2010 may not exceed \$1,600,000,000.”.

(d) NOTICE TO CONGRESS.—Subsection (e) of such section, as so redesignated, is amended by striking “shall—” and all that follows and inserting “shall notify the congressional defense committees not later than 15 days before making any reimbursement under the authority in subsection (a) or providing any support under the authority in subsection (b).”.

(e) REPORTS.—Such section is further amended by adding at the end the following new subsection:

“(f) REPORTS.—The Secretary of Defense shall submit to the congressional defense committees on a quarterly basis a report on any reimbursements made under the authority in subsection (a), and any support provided under the authority in subsection (b), during such quarter.”.

(f) EXTENSION OF NOTICE ON REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as amended by section 1217 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4634), is further amended by striking “September 30, 2010” and inserting “September 30, 2011”.

SEC. 1206. ONE-YEAR EXTENSION AND EXPANSION OF COMMANDERS' EMERGENCY RESPONSE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Commanders' Emergency Response Program provides United States military commanders in theater a valuable tool for accomplishing the counterinsurgency mission in Iraq and Afghanistan by enabling military commanders to fund urgent humanitarian relief and reconstruction requirements by carrying out programs that will immediately assist the people of those countries; and

(2) United States military commanders utilizing Commanders' Emergency Response Program funds in Afghanistan, and Provincial Reconstruction Teams in Afghanistan using such funds or other United States humanitarian or reconstruction assistance, should whenever possible coordinate the funding of projects with

local councils, particularly Community Development Councils established under the Afghanistan National Solidarity Program, and take actions that promote the importance and effectiveness of local and national government entities.

(b) ONE-YEAR EXTENSION OF AUTHORITY.—

(1) AUTHORITY FOR FISCAL YEAR 2010.—Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3455), as amended by section 1205 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 366) and section 1214 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4630), is further amended—

(A) in the subsection heading, by striking “FISCAL YEARS 2008 AND 2009” and inserting “FISCAL YEAR 2010”;

(B) by striking “each of fiscal years 2008 and 2009” and inserting “fiscal year 2010”;

(C) by striking “for such fiscal year”; and

(D) by striking “\$1,700,000,000 in fiscal year 2008 and \$1,500,000,000 in fiscal year 2009” and inserting “\$1,400,000,000”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2009.

(c) EXTENSION OF DUE DATE FOR QUARTERLY REPORTS.—Subsection (b)(1) of such section is amended—

(1) by striking “15 days” and inserting “30 days”; and

(2) by striking “fiscal years 2008 and 2009” and inserting “any fiscal year during which the authority under subsection (a) is in effect”.

(d) AUTHORITY TO TRANSFER FUNDS FOR SUPPORT OF AFGHANISTAN NATIONAL SOLIDARITY PROGRAM.—Such section is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

“(g) AUTHORITY TO TRANSFER FUNDS FOR SUPPORT OF AFGHANISTAN NATIONAL SOLIDARITY PROGRAM.—

“(1) AUTHORITY.—If the Secretary of Defense determines that the use of Commanders' Emergency Response Program funds to support the Afghanistan National Solidarity Program would enhance counterinsurgency operations or stability operations in Afghanistan, the Secretary of Defense may transfer funds, from amounts available for the Commanders' Emergency Response Program for fiscal year 2010, to the Secretary of State for purposes of supporting the Afghanistan National Solidarity Program.

“(2) LIMITATION.—The amount of funds transferrable under paragraph (1) may not exceed \$100,000,000.

“(3) CONGRESSIONAL NOTIFICATION.—Not later than 15 days before transferring funds under paragraph (1), the Secretary of Defense shall submit to the congressional defense committees a report setting forth the Secretary's determination pursuant to paragraph (1) and a description of the amount of funds to be transferred under that paragraph.”.

(e) TECHNICAL AMENDMENTS.—Subsections (e)(1) and (f)(1) of such section are amended by striking “the date of the enactment of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009” and inserting “October 14, 2008”.

SEC. 1207. ONE-YEAR EXTENSION OF AUTHORITY FOR SECURITY AND STABILIZATION ASSISTANCE.

Section 1207(g) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3458), as amended by section 1210 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 369) and section 1207 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4625), is further amended by striking “September 30, 2009” and inserting “September 30, 2010”.

SEC. 1208. AUTHORITY FOR NON-RECIPROCAL EXCHANGES OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES.

(a) AUTHORITY TO ENTER INTO NON-RECIPROCAL INTERNATIONAL EXCHANGE AGREEMENTS.—

(1) IN GENERAL.—The Secretary of Defense may enter into non-reciprocal international defense personnel exchange agreements.

(2) INTERNATIONAL DEFENSE PERSONNEL EXCHANGE AGREEMENTS DEFINED.—For purposes of this section, an international defense personnel exchange agreement is an agreement with the government of an ally of the United States or another friendly foreign country for the exchange of military and civilian personnel of the defense ministry of that foreign government.

(b) ASSIGNMENT OF PERSONNEL.—

(1) IN GENERAL.—Pursuant to a non-reciprocal international defense personnel exchange agreement, personnel of the defense ministry of a foreign government may be assigned to positions in the Department of Defense.

(2) MUTUAL AGREEMENT REQUIRED.—An individual may not be assigned to a position pursuant to a non-reciprocal international defense personnel exchange agreement unless the assignment is acceptable to both governments.

(c) PAYMENT OF PERSONNEL COSTS.—

(1) IN GENERAL.—The foreign government with which the United States has entered into a non-reciprocal international defense personnel exchange agreement shall pay the salary, per diem, cost of living, travel costs, cost of language or other training, and other costs for its personnel in accordance with the applicable laws and regulations of such government.

(2) EXCLUDED COSTS.—Paragraph (1) does not apply to the following costs:

(A) The cost of training programs conducted to familiarize, orient, or certify exchanged personnel regarding unique aspects of the assignments of the exchanged personnel.

(B) Costs incident to the use of facilities of the United States Government in the performance of assigned duties.

(d) PROHIBITED CONDITIONS.—No personnel exchanged pursuant to a non-reciprocal agreement under this section may take or be required to take an oath of allegiance or to hold an official capacity in the government.

(e) DURATION OF AUTHORITY.—The authority under this section shall expire on December 31, 2011.

SEC. 1209. DEFENSE COOPERATION BETWEEN THE UNITED STATES AND IRAQ.

(a) FINDINGS.—The Senate makes the following findings:

(1) As United States forces continue their redeployment from Iraq, the quality of the Iraqi Security Forces and the nature of their training and equipment will play an increasingly important role.

(2) Despite the decrease in violence in Iraq, Iraq continues to face formidable threats to its national security.

(3) There are many benefits to the United States and Iraq resulting from the strategic relationship that exists between the two nations.

(4) Enhancing the capabilities of the Iraqi Security Forces and strengthening the defense cooperation between the United States and Iraq will help ensure that Iraq has the military strength and political support necessary to enhance its internal and regional security.

(b) AVAILABILITY OF PROFESSIONAL MILITARY EDUCATION FOR IRAQ SECURITY FORCES.—The Secretary of Defense shall endeavor to increase the number of positions in professional military education courses, including courses at command and general staff colleges, war colleges, and the service academies, that are made available annually to personnel of the security forces of the Government of Iraq.

SEC. 1210. REPORT ON ALTERNATIVES TO USE OF ACQUISITION AND CROSS-SERVICING AGREEMENTS TO LEND MILITARY EQUIPMENT FOR PERSONNEL PROTECTION AND SURVIVABILITY.

(a) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth and assessing various alternatives to the use of acquisition and cross-servicing agreements pursuant to the temporary authority in section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2412), as amended by section 1252 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 402), for purposes of lending covered military equipment to military forces of nations as follows:

(1) A nation participating in combined operations with the United States in Iraq and Afghanistan.

(2) A nation participating in combined operations with the United States as part of a peace-keeping operation under the Charter of the United Nations or another international agreement.

(b) **COVERED MILITARY EQUIPMENT DEFINED.**—In this section, the term “covered military equipment” has the meaning given that term in section 1202(d)(1) of the John Warner National Defense Authorization Act for Fiscal Year 2007.

SEC. 1211. ENSURING IRAQI SECURITY THROUGH DEFENSE COOPERATION BETWEEN THE UNITED STATES AND IRAQ.

The President may treat an undertaking by the Government of Iraq that is made between the date of the enactment of this Act and December 31, 2011, as a dependable undertaking described in section 22(a) of the Arms Export Control Act (22 U.S.C. 2762(a)) for purposes of entering into contracts for the procurement of defense articles and defense services as provided for in that section.

SEC. 1212. AVAILABILITY OF APPROPRIATED FUNDS FOR THE STATE PARTNERSHIP PROGRAM.

(a) **AVAILABILITY OF APPROPRIATED FUNDS.**—The Secretary of Defense may, under regulations prescribed by the Secretary, use funds appropriated to the Department of Defense for fiscal year 2010 to pay the costs incurred by the National Guard (including the costs of pay and allowances of members of the National Guard) in conducting activities under the State Partnership Program—

(1) to support the objectives of the commander of the combatant command for the theater of operations in which such activities are conducted; or

(2) to build international civil-military partnerships and capacity on matters relating to defense and security.

(b) **LIMITATIONS.**—

(1) **APPROVAL BY COMMANDER OF COMBATANT COMMAND AND CHIEF OF MISSION.**—Funds shall not be available under subsection (a) for activities conducted under the State Partnership Program in a foreign country unless such activities are jointly approved by the commander of the combatant command concerned and the chief of mission concerned.

(2) **PARTICIPATION BY MEMBERS.**—Funds shall not be available under subsection (a) for the participation of a member of the National Guard in activities conducted under the State Partnership Program in a foreign country unless the member is on active duty in the Armed Forces at the time of such participation.

(c) **REIMBURSEMENT.**—In the event of the participation of personnel of a department or agency of the United States Government (other than the Department of Defense) in activities for which payment is made under subsection (a), the head of such department or agency shall reimburse the Secretary of Defense for the costs

associated with the participation of such personnel in such activities. Amounts reimbursed the Department of Defense under this subsection shall be deposited in the appropriation or account from which amounts for the payment concerned were derived. Any amounts so deposited shall be merged with amounts in such appropriation or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.

SEC. 1213. AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF IRAQ AND AFGHANISTAN.

(a) **AUTHORITY.**—The President is authorized to transfer defense articles from the stocks of the Department of Defense, and to provide defense services in connection with the transfer of such defense articles, to—

(1) the military and security forces of Iraq to support the efforts of those forces to restore and maintain peace and security in that country; and

(2) the military and security forces of Afghanistan to support the efforts of those forces to restore and maintain peace and security in that country.

(b) **LIMITATIONS.**—

(1) **VALUE.**—The aggregate replacement value of all defense articles transferred and defense services provided under subsection (a) may not exceed \$500,000,000.

(2) **SOURCE OF TRANSFERRED DEFENSE ARTICLES.**—The authority under subsection (a) may only be used for defense articles that—

(A) immediately before the transfer were in use to support operations in Iraq;

(B) were present in Iraq as of the date of enactment of this Act; and

(C) are no longer required by United States forces in Iraq.

(c) **APPLICABLE LAW.**—Any defense articles transferred or defense services provided to Iraq or Afghanistan under the authority of subsection (a) shall be subject to the authorities and limitations applicable to excess defense articles under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), other than the authorities and limitations contained in subsections (b)(1)(B), (e), (f), and (g) of such section.

(d) **REPORT.**—

(1) **IN GENERAL.**—The President may not exercise the authority under subsection (a) until 30 days after the Secretary of Defense, with the concurrence of the Secretary of State, provides the appropriate congressional committees a report on the plan for the disposition of equipment and other property of the Department of Defense in Iraq.

(2) **ELEMENTS OF REPORT.**—The report required under paragraph (1) shall include the following elements:

(A) An assessment of—

(i) the types and quantities of defense articles required by the military and security forces of Iraq to support the efforts of those military and security forces to restore and maintain peace and security in Iraq; and

(ii) the types and quantities of defense articles required by the military and security forces of Afghanistan to support the efforts of those military and security forces to restore and maintain peace and security in Afghanistan.

(B) A description of the authorities available for addressing the requirements identified in subparagraph (A).

(C) A description of the process for inventorying equipment and property, including defense articles, in Iraq owned by the Department of Defense, including equipment and property owned by the Department of Defense and under the control of contractors in Iraq.

(D) A description of the types of defense articles that the Department of Defense intends to transfer to the military and security forces of

Iraq and an estimate of the quantity of such defense articles to be transferred.

(E) A description of the process by which potential requirements for defense articles to be transferred under the authority provided in subsection (a), other than the requirements of the security forces of Iraq or Afghanistan, are identified and the mechanism for resolving any potential conflicting requirements for such defense articles.

(F) A description of the plan, if any, for reimbursing military departments from which non-excess defense articles are transferred under the authority provided in subsection (a).

(G) An assessment of the efforts by the Government of Iraq to identify the requirements of the military and security forces of Iraq for defense articles to support the efforts of those forces to restore and maintain peace and security in that country.

(H) An assessment of the ability of the Governments of Iraq and Afghanistan to absorb the costs associated with possessing and using the defense articles to be transferred.

(I) A description of the steps taken by the Government of Iraq to procure or acquire defense articles to meet the requirements of the military and security forces of Iraq, including through military sales from the United States.

(e) **NOTIFICATION.**—

(1) **IN GENERAL.**—The President may not transfer defense articles or provide defense services under subsection (a) until 15 days after the date on which the President has provided notice of the proposed transfer of defense articles or provision of defense services to the appropriate congressional committees.

(2) **CONTENTS.**—Such notification shall include—

(A) a description of the amount and type of each defense article to be transferred or defense services to be provided;

(B) a statement describing the current value of such article and the estimated replacement value of such article;

(C) an identification of the military department from which the defense articles being transferred are drawn;

(D) an identification of the element of the military or security force that is the proposed recipient of each defense article to be transferred or defense service to be provided;

(E) an assessment of the impact of the transfer on the national technology and industrial base and, particularly, the impact on opportunities of entities in the national technology and industrial base to sell new or used equipment to the countries to which such articles are to be transferred; and

(F) a certification by the President that—

(i) the Secretary of Defense has determined that—

(I) the defense articles to be transferred are no longer required by United States forces in Iraq;

(II) the proposed transfer of such defense articles will not adversely impact the military preparedness of the United States;

(III) immediately before the transfer, the defense articles to be transferred were being used to support operations in Iraq;

(IV) the defense articles to be transferred were present in Iraq as of the date of enactment of this Act; and

(V) the defense articles to be transferred are required by the military and security forces of Iraq or the military and security forces of Afghanistan, as applicable, to build their capacity to restore and maintain peace and security in their country;

(ii) the government of the recipient country has agreed to accept and take possession of the defense articles to be transferred and to receive the defense services in connection with that transfer; and

(iii) the proposed transfer of such defense articles and the provision of defense services in connection with such transfer is in the national interest of the United States.

(f) **QUARTERLY REPORT.**—Not later than 90 days after the date of the report provided under subsection (d), and every 90 days thereafter during fiscal year 2010, the Secretary of Defense shall report to the appropriate congressional committees on the implementation of the authority under subsection (a). The report shall include the replacement value of defense articles transferred pursuant to subsection (a), both in the aggregate and by military department, and services provided to Iraq and Afghanistan during the previous 90 days.

(g) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate.

(2) **DEFENSE ARTICLES.**—The term “defense articles” has the meaning given the term in section 644(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(d)).

(3) **DEFENSE SERVICES.**—The term “defense services” has the meaning given the term in section 644(f) of such Act (22 U.S.C. 2403(f)).

(4) **MILITARY AND SECURITY FORCES.**—The term “military and security forces” means national armies, national air forces, national navies, national guard forces, police forces and border security forces, but does not include non-governmental or irregular forces (such as private militias).

(h) **EXPIRATION.**—The authority provided under subsection (a) may not be exercised after September 30, 2010.

(i) **EXCESS DEFENSE ARTICLES.**—

(1) **ADDITIONAL AUTHORITY.**—The authority provided by subsection (a) is in addition to the authority provided by Section 516 of the Foreign Assistance Act of 1961.

(2) **AGGREGATE VALUE.**—The value of excess defense articles transferred to Iraq during fiscal year 2010 pursuant to Section 516 of the Foreign Assistance Act of 1961 shall not be counted against the limitation on the aggregate value of excess defense articles transferred contained in subsection (g) of such Act.

SEC. 1214. CERTIFICATION REQUIREMENT FOR COALITION SUPPORT FUND REIMBURSEMENTS.

Section 1232(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 392), as amended by section 1217 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4634), is amended—

(1) in paragraph (1)(A), by striking “the Secretary of Defense shall submit” and inserting “the Secretary of Defense, after consultation with the Secretary of State, shall submit”; and

(2) in paragraph (2)—

(A) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and indenting each clause, as so redesignated, 6 ems from the left margin;

(B) by striking “shall include an itemized description” and inserting the following: “shall include the following:

“(A) An itemized description”; and

(C) by adding at the end the following new subparagraph:

“(B) A certification that the reimbursement—

“(i) is consistent with the national security interests of the United States; and

“(ii) will not adversely impact the balance of power in the region.”.

Subtitle B—Reports

SEC. 1221. REPORT ON UNITED STATES ENGAGEMENT WITH IRAN.

(a) **IN GENERAL.**—Not later than January 31, 2010, the President shall submit to Congress a report on United States engagement with Iran.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) **DIPLOMATIC ENGAGEMENT.**—With respect to diplomatic engagement, the following:

(A) A description of areas of mutual interest to the Government of the United States and the Government of the Islamic Republic of Iran in which cooperation and discussion could be of mutual interest.

(B) A discussion and assessment of the commitment of the Government of the Islamic Republic of Iran to engage in good-faith discussions with the United States to resolve matters of concern through negotiation.

(2) **SUPPORT FOR TERRORISM AND EXTREMISM.**—With respect to support for terrorism and extremism, an assessment of the extent to which the Government of the Islamic Republic of Iran has supported or provided weapons, training, funding, or any other type of support or assistance for any designated Foreign Terrorist Organization as well as regional militant groups, and specific assessments of the support provided by the Government of the Islamic Republic of Iran, or agencies under that government, for insurgents or other militant groups in Iraq and Afghanistan.

(3) **NUCLEAR ACTIVITIES.**—With respect to nuclear activities, an assessment of the extent to which the Government of the Islamic Republic of Iran has—

(A) complied with United Nations Security Council Resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), and 1835 (2008), and with any other applicable Resolutions adopted by the United Nations Security Council as of the date of the report;

(B) cooperated with the International Atomic Energy Agency (IAEA), including fulfilling all requests of that Agency for access to information, documentation, locations, and individuals;

(C) ratified and implemented the Additional Protocol to Iran’s Safeguards Agreement with the International Atomic Energy Agency, as requested by the Board of Governors of the International Atomic Energy Agency and the United Nations Security Council; and

(D) committed to stop uranium enrichment activities and forego the reprocessing of spent fuel, the production of heavy water, and the weaponization of fissile materials on a permanent basis.

(4) **MISSILE ACTIVITIES.**—With respect to missile activities, an assessment of the extent to which the Government of the Islamic Republic of Iran has continued development of its ballistic missile program, including participation in any imports or exports of any items, materials, goods, and technologies related to that program and has complied with United Nations Security Council Resolutions 1696, 1737, 1747, 1803, and 1835, as required by the United Nations Security Council.

(5) **SUPPORT TO ILLEGAL NARCOTICS NETWORK IN AFGHANISTAN.**—With respect to support to the illegal narcotics network in Afghanistan, an assessment of the extent to which the Government of the Islamic Republic of Iran, or agencies under that government, has or have supported or facilitated the illegal narcotics trade in Afghanistan.

(6) **SANCTIONS AGAINST IRAN.**—With regard to sanctions against Iran—

(A) a list of all current United States bilateral and multilateral sanctions against Iran;

(B) a description and discussion of United States diplomatic efforts to enforce bilateral and multilateral sanctions against Iran and to strengthen international efforts to enforce such sanctions;

(C) an assessment of the impact and effectiveness of existing bilateral and multilateral sanctions against Iran in achieving United States goals;

(D) a list of all United States and foreign registered entities which the Secretary of State has determined to be in violation of existing United States bilateral or multilateral sanctions against Iran;

(E) a detailed description of United States efforts to enforce sanctions against Iran, including—

(i) a list of all investigations initiated in the 18-month period ending on the date of the enactment of this Act that have resulted in a determination that a violation of sanctions against Iran has occurred; and

(ii) a description of the actions taken by the United States Government pursuant to each such determination; and

(F) a description of bilateral and multilateral sanctions against Iran that are under consideration, an assessment whether such additional sanctions against Iran would be effective, and, if so, a description of the actions being undertaken to pursue such additional sanctions.

(c) **SUBMITTAL IN CLASSIFIED FORM.**—The report required by subsection (a), or any part of such report, may be submitted in classified form if the President considers it appropriate.

SEC. 1222. REPORT ON CUBA AND CUBA’S RELATIONS WITH OTHER COUNTRIES.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the defense and intelligence committees of the Congress a report addressing the following:

(1) The cooperative agreements and relationships that Cuba has with Iran, North Korea, and other states suspected of nuclear proliferation.

(2) A detailed account of the economic support provided by Venezuela to Cuba and the intelligence and other support that Cuba provides to the government of Hugo Chavez.

(3) A review of the evidence of relationships between the Cuban government or any of its components with drug cartels or involvement in other drug trafficking activities.

(4) The status and extent of Cuba’s clandestine activities in the United States.

(5) The extent and activities of Cuban support for governments in Venezuela, Bolivia, Ecuador, Central America, and the Caribbean.

(6) The status and extent of Cuba’s research and development program for biological weapons production.

(7) The status and extent of Cuba’s cyberwarfare program.

SEC. 1223. REPORT ON VENEZUELA.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the defense and intelligence committees of the Congress a report addressing the following:

(1) An inventory of all weapons purchases by, and transfers to, the government of Venezuela and Venezuela’s transfers to other countries since 1998, particularly purchases and transfers of missiles, ships, submarines, and any other advanced systems. The report shall include an assessment of whether there is accountability of the purchases and transfers with respect to the end-use and diversion of such materiel to popular militias, other governments, or irregular armed forces.

(2) The mining and shipping of Venezuelan uranium to Iran, North Korea, and other states suspected of nuclear proliferation.

(3) The extent to which Hugo Chavez and other Venezuelan officials and supporters of the Venezuelan government provide political counsel, collaboration, financial ties, refuge, and other forms of support, including military materiel, to the Revolutionary Armed Forces of Colombia (FARC).

(4) The extent to which Hugo Chavez and other Venezuelan officials provide funding, logistical and political support to the Islamist terrorist organization Hezbollah.

(5) Deployment of Venezuelan security or intelligence personnel to Bolivia, including any role such personnel have in suppressing opponents of the government of Bolivia.

(6) Venezuela’s clandestine material support for political movements and individuals

throughout the Western Hemisphere with the objective of influencing the internal affairs of nations in the Western Hemisphere.

(7) Efforts by Hugo Chavez and other officials or supporters of the Venezuelan government to convert or launder funds that are the property of Venezuelan government agencies, instrumentalities, parastatals, including Petroleos de Venezuela, SA (PDVSA).

(8) Covert payments by Hugo Chavez or officials or supporters of the Venezuelan government to foreign political candidates, government officials, or officials of international organizations for the purpose of influencing the performance of their official duties.

SEC. 1224. REPORT ON MILITARY POWER OF IRAN.

(a) BIENNIAL REPORT.—Not later than March 31, 2010, and in each even-numbered year thereafter until 2020, the Secretary of Defense shall submit to Congress a report, in both classified and unclassified form, on the current and future military strategy of the Islamic Republic of Iran. The report shall address the current and probable future course of military developments on the Army, Air Force, Navy, and Revolutionary Guard Corps of the Islamic Republic of Iran.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following elements:

(1) As assessment of the grand strategy, security strategy, and military strategy of the Government of the Islamic Republic of Iran, including the following:

(A) The goals of the grand strategy, security strategy, and military strategy.

(B) Aspects of the strategies that would be designed to establish Iran as the leading power in the Middle East and to enhance the influence of Iran in other regions of the world.

(C) The security situation in the Persian Gulf and the Levant.

(D) Iranian strategy regarding other countries in the Middle East region.

(2) An assessment of the capabilities of the conventional forces of the Government of the Islamic Republic of Iran, including the following:

(A) The size, location, and capabilities of the conventional forces.

(B) A detailed analysis of the conventional forces of the Government of the Islamic Republic of Iran facing United States forces in the region and other countries in the Middle East region.

(C) An estimate of the funding provided for each branch of the conventional forces of the Government of the Islamic Republic of Iran.

(3) An assessment of the unconventional forces of the Government of the Islamic Republic of Iran, including the following:

(A) The size and capability of special operations units, including the Iranian Revolutionary Guard Corps-Quds Force.

(B) The types and amount of support provided to groups designated by the United States as terrorist organizations in particular those forces that have been assessed as willing to carry out terrorist operations on behalf of the Islamic Republic of Iran.

(C) A detailed analysis of the unconventional forces of the Government of the Islamic Republic of Iran and their implications for the United States and other countries in the Middle East region.

(D) An estimate of the amount of funds spent by the Government of the Islamic Republic of Iran to develop and support special operations forces and terrorist groups.

(c) DEFINITIONS.—In this section:

(1) CONVENTIONAL FORCES OF THE GOVERNMENT OF IRAN.—The term “conventional forces of the Government of the Islamic Republic of Iran”

(A) means military forces of the Islamic Republic of Iran designed to conduct operations on sea, air, or land, other than Iran’s unconventional forces and Iran’s strategic missile forces; and

(B) includes Iran’s Army, Iran’s Air Force, Iran’s Navy, and elements of the Iranian Revolutionary Guard Corps, other than the Iranian Revolutionary Guard Corps-Quds Force.

(2) MIDDLE EAST REGION.—The term “Middle East region” means—

(A) the countries within the area of responsibility of United States Central Command; and

(B) the countries within the area covered by the Bureau of Near Eastern Affairs of the Department of State.

(3) UNCONVENTIONAL FORCES OF THE GOVERNMENT OF IRAN.—The term “unconventional forces of the Government of the Islamic Republic of Iran”

(A) means forces of the Islamic Republic of Iran that carry out missions typically associated with special operations forces; and

(B) includes—

(i) the Iranian Revolutionary Guard Corps-Quds Force; and

(ii) any organization that—

(I) has been designated a terrorist organization by the United States;

(II) receives assistance from the Government of Iran; and

(III)(aa) is assessed as being willing in some or all cases of carrying out attacks on behalf of the Government of the Islamic Republic of Iran; or

(bb) is assessed as likely to carry out attacks in response to a military attack by another country on the Islamic Republic of Iran.

SEC. 1225. ANNUAL COUNTERTERRORISM STATUS REPORTS.

(a) SHORT TITLE.—This section may be cited as the “Success in Countering Al Qaeda Reporting Requirements Act of 2009”.

(b) ANNUAL COUNTERTERRORISM STATUS REPORTS.—

(1) IN GENERAL.—Not later than July 31, 2010, and every July 31 thereafter, the President shall submit a report, to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives, which contains, for the most recent 12-month period, a review of the counterterrorism strategy of the United States Government, including—

(A) a detailed assessment of the scope, status, and progress of United States counterterrorism efforts in fighting Al Qaeda and its related affiliates and undermining long-term support for violent extremism;

(B) a judgment on the geographical region in which Al Qaeda and its related affiliates pose the greatest threat to the national security of the United States;

(C) a judgment on the adequacy of interagency integration of the counterterrorism programs and activities of the Department of Defense, the United States Special Operations Command, the Central Intelligence Agency, the Department of State, the Department of the Treasury, the Department of Homeland Security, the Department of Justice, and other Federal departments and agencies;

(D) an evaluation of the extent to which the counterterrorism efforts of the United States correspond to the plans developed by the National Counterterrorism Center and the goals established in overarching public statements of strategy issued by the executive branch;

(E) a determination of whether the National Counterterrorism Center exercises the authority and has the resources and expertise required to fulfill the interagency strategic and operational planning role described in section 119(j) of the National Security Act of 1947 (50 U.S.C. 404o), as added by section 1012 of the National Security Intelligence Reform Act of 2004 (title I of Public Law 108-458);

(F) a description of the efforts of the United States Government to combat Al Qaeda and its related affiliates and undermine violent extremist ideology, which shall include—

(i) a specific list of the President’s highest global counterterrorism priorities;

(ii) the degree of success achieved by the United States, and remaining areas for progress, in meeting the priorities described in clause (i); and

(iii) efforts in those countries in which the President determines that—

(I) Al Qaeda and its related affiliates have a presence; or

(II) acts of international terrorism have been perpetrated by Al Qaeda and its related affiliates;

(G) a specific list of United States counterterrorism efforts, and the specific status and achievements of such efforts, through military, financial, political, intelligence, paramilitary, and law enforcement elements, relating to—

(i) bilateral security and training programs;

(ii) law enforcement and border security;

(iii) the disruption of terrorist networks; and

(iv) the denial of terrorist safe havens and sanctuaries;

(H) a description of United States Government activities to counter terrorist recruitment and radicalization, including—

(i) strategic communications;

(ii) public diplomacy;

(iii) support for economic development and political reform; and

(iv) other efforts aimed at influencing public opinion;

(I) United States Government initiatives to eliminate direct and indirect international financial support for the activities of terrorist groups;

(J) a cross-cutting analysis of the budgets of all Federal Government agencies as they relate to counterterrorism funding to battle Al Qaeda and its related affiliates abroad, including—

(i) the source of such funds; and

(ii) the allocation and use of such funds;

(K) an analysis of the extent to which specific Federal appropriations—

(i) have produced tangible, calculable results in efforts to combat and defeat Al Qaeda, its related affiliates, and its violent ideology; or

(ii) contribute to investments that have expected payoffs in the medium- to long-term;

(L) statistical assessments, including those developed by the National Counterterrorism Center, on the number of individuals belonging to Al Qaeda and its related affiliates that have been killed, injured, or taken into custody as a result of United States counterterrorism efforts; and

(M) a concise summary of the methods used by National Counterterrorism Center and other elements of the United States Government to assess and evaluate progress in its overall counterterrorism efforts, including the use of specific measures, metrics, and indices.

(2) INTERAGENCY COOPERATION.—In preparing a report under this subsection, the President shall include relevant information maintained by—

(A) the National Counterterrorism Center and the National Counterproliferation Center;

(B) the Department of Justice, including the Federal Bureau of Investigation;

(C) the Department of State;

(D) the Department of Defense;

(E) the Department of Homeland Security;

(F) the Department of the Treasury;

(G) the Office of the Director of National Intelligence;

(H) the Central Intelligence Agency;

(I) the Office of Management and Budget;

(J) the United States Agency for International Development; and

(K) any other Federal department that maintains relevant information.

(3) REPORT CLASSIFICATION.—Each report required under this subsection shall be—

(A) submitted in an unclassified form, to the maximum extent practicable; and

(B) accompanied by a classified appendix, as appropriate.

SEC. 1226. REPORT ON TAIWAN'S AIR FORCE.

(a) **FINDINGS.**—Congress makes the following findings:

(1) According to the Department of Defense's (DoD) 2009 Annual Report on Military Power of the People's Republic of China, the military balance in the Taiwan Strait has been shifting in China's favor since 2000, marked by the sustained deployment of advanced military equipment to the Chinese military regions opposite Taiwan.

(2) Although the DoD's 2002 Report concluded that Taiwan "has enjoyed dominance of the airspace over the Taiwan Strait for many years," the DoD's 2009 Report states this conclusion no longer holds true.

(3) China has based 490 combat aircraft (330 fighters and 160 bombers) within unrefueled operational range of Taiwan, and has the airfield capacity to expand that number by hundreds. In contrast, Taiwan has 390 combat aircraft (all of which are fighters).

(4) Also according to the DoD's 2009 Report, China has continued its build-up of conventional ballistic missiles since 2000, "building a nascent capacity for conventional short-range ballistic missile (SRBM) strikes against Taiwan into what has become one of China's primary instruments of coercion." At this time, China has expanded its SRBM force opposite Taiwan to seven brigades with a total of 1,050 through 1,150 missiles, and is augmenting these forces with conventional medium-range ballistic missiles systems and at least 2 land attack cruise missile variants capable of ground or air launch. Advanced fighters and bombers, combined with enhanced training for nighttime and overwater flights, provide China's People's Liberation Army (PLA) with additional capabilities for regional strike or maritime interdiction operations.

(5) Furthermore, the Report maintains, "the security situation in the Taiwan Strait is largely a function of dynamic interactions among Mainland China, Taiwan, and the United States. The PLA has developed and deployed military capability to coerce Taiwan or attempt an invasion if necessary. PLA improvements pose new challenges to Taiwan's security, which has historically been based upon the PLA's inability to project power across the 100 nautical-mile Taiwan Strait, natural geographic advantages of island defense, Taiwan's armed forces' technological superiority, and the possibility of U.S. intervention".

(6) The Taiwan Relations Act of 1979 requires that, in furtherance of the principle of maintaining peace and stability in the Western Pacific region, the United States shall make available to Taiwan such defense articles and defense services in such quantity "as may be necessary to enable Taiwan to maintain a sufficient self-defense capability," allowing that "the President and the Congress shall determine the nature and quantity of such defense articles and services based solely upon their judgment of the needs of Taiwan . . .".

(b) **REPORT TO CONGRESS ON TAIWAN'S CURRENT AIR FORCE AND FUTURE SELF-DEFENSE REQUIREMENTS.**—Not later than 90 days after the date of the enactment of this Act, the President shall submit to Congress a report, in both classified and unclassified form, containing the following:

(1) A thorough and complete assessment of the current state of Taiwan's Air Force, including—

(A) the number and type of aircraft;

(B) the age of aircraft; and

(C) the capability of those aircraft.

(2) An assessment of the effectiveness of the aircraft in the face of a full-scale concerted missile and air campaign by China, in which China uses its most modern surface-to-air missiles currently deployed along its seacoast.

(3) An analysis of the specific weapons systems and platforms that Taiwan would need to provide for its self-defense and maintain control of its own air space.

(4) Options for the United States to assist Taiwan in achieving those capabilities.

(5) A 5-year plan for fulfilling the obligations of the United States under the Taiwan Relations Act to provide for Taiwan's self-defense and aid Taiwan in maintaining control of its own air space.

SEC. 1227. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.

Section 1225 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2424) is amended—

(1) in subsection (a), by striking "until December 31, 2010, the President shall submit" and inserting "(but not later than the first of each May), the Director of the Office of Management and Budget shall submit"; and

(2) by adding at the end the following:

"(c) **PUBLIC AVAILABILITY OF INFORMATION.**—The Director of the Office of Management and Budget shall post a public version of each report submitted under subsection (a) on a text-based searchable and publicly available Internet Web site."

Subtitle C—Other Matters

SEC. 1231. SENSE OF CONGRESS ON ESTABLISHMENT OF MEASURES OF PROGRESS TO EVALUATE UNITED STATES STRATEGIC OBJECTIVES IN AFGHANISTAN AND PAKISTAN.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The President announced a new strategy for Afghanistan and Pakistan on March 27, 2009, that calls for a commitment of more resources and a significant increase in the number of United States Armed Forces deployed to the region.

(2) It is the obligation of the United States Government to the members of the Armed Forces, and to all Americans, that their sacrifices be met by a clear method for evaluating the progress toward achieving the objectives in the new strategy of the Administration.

(3) The President stated, with reference to the strategy for Afghanistan and Pakistan, that "going forward, we will not blindly stay the course. Instead, we will set clear metrics to measure progress and hold ourselves accountable. We'll consistently assess our efforts to train Afghan security forces and our progress in combating insurgents. We will measure the growth of Afghanistan's economy, and its illicit narcotics production. And we will review whether we are using the right tools and tactics to make progress towards accomplishing our goals".

(4) Since the announcement of the new strategy of the Administration on March 27, 2009, key leaders in the Administration, including in the Department of Defense and Department of State, have testified before Congress that progress measures were needed to evaluate performance toward achieving the strategic objectives of the United States in Afghanistan and Pakistan and that the Administration was undertaking the process of reviewing and developing measures of progress.

(5) Key leaders in the Administration further assured Congress that the Administration would not only share the measures of progress with Congress, but would also invite review and comment by Congress on proposed measures of progress.

(6) The establishment of both clear objectives and a means to impartially measure success toward those objectives will expound to the American people what the United States and its partners intend to accomplish in and for Afghanistan and Pakistan.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Administration should, through the coordination of the Departments of Defense and State, expeditiously submit to Congress a comprehensive list of measures of progress with regard to United States strategic objectives in Afghanistan and Pakistan;

(2) the comprehensive list under paragraph (1) should include newly-established measures of progress as well as such measures of progress previously established pursuant to section 1230(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 385) that continue to be relevant to the current United States strategy for Afghanistan and Pakistan;

(3) the Administration should incorporate the comprehensive list under paragraph (1) with each report submitted under sections 1230 and 1232 of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 385, 392) and should review, and if necessary modify, the comprehensive list for each such report; and

(4) upon submittal to Congress of the reports required by sections 1230 and 1232 of the National Defense Authorization Act for Fiscal Year 2008, the Administration should provide an assessment of each measure of progress by—

(A) setting forth the measure of progress being evaluated;

(B) providing data used to evaluate the measure of progress;

(C) providing an evaluation of the performance of the particular measure of progress; and

(D) providing a comprehensive assessment of how the performance of the particular measure of progress hinders or enhances the overall performance toward achieving strategic objectives of the United States in Afghanistan and Pakistan.

SEC. 1232. SENSE OF THE SENATE ON IMPOSING SANCTIONS WITH RESPECT TO THE ISLAMIC REPUBLIC OF IRAN.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) The illicit nuclear activities of the Government of the Islamic Republic of Iran, combined with its development of unconventional weapons and ballistic missiles and support for international terrorism, represent a grave threat to the security of the United States and United States allies in Europe, the Middle East, and around the world.

(2) The United States and other responsible countries have a vital interest in working together to prevent the Government of the Islamic Republic of Iran from acquiring a nuclear weapons capability.

(3) As President Barack Obama said, "Iran obtaining a nuclear weapon would not only be a threat to Israel and a threat to the United States, but would be profoundly destabilizing in the international community as a whole and could set off a nuclear arms race in the Middle East that would be extraordinarily dangerous for all concerned, including for Iran."

(4) The International Atomic Energy Agency has repeatedly called attention to the illicit nuclear activities of the Islamic Republic of Iran, and, as a result, the United Nations Security Council has adopted a range of sanctions designed to encourage the Government of the Islamic Republic of Iran to cease those activities and comply with its obligations under the Treaty on Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the "Nuclear Non-Proliferation Treaty").

(5) The Department of the Treasury has imposed sanctions on several Iranian banks, including Bank Melli, Bank Saderat, Bank Sepah, and Bank Mellat, for their involvement in proliferation activities or support for terrorist groups.

(6) The Central Bank of Iran, the keystone of Iran's financial system and its principal remaining lifeline to the international banking system, has engaged in deceptive financial practices and

facilitated such practices among banks involved in proliferation activities or support for terrorist groups, including Bank Sepah and Bank Melli, in order to evade sanctions imposed by the United States and the United Nations.

(7) On April 8, 2009, the United States formally extended an offer to engage in direct diplomacy with the Government of the Islamic Republic of Iran through negotiations with the five permanent members of the United States Security Council and Germany (commonly referred to as the "P5-plus-1 process"), in the hope of resolving all outstanding disputes between the Islamic Republic of Iran and the United States.

(8) The Government of the Islamic Republic of Iran has yet to make a formal reply to the April 8, 2009, offer of direct diplomacy by the United States or to engage in direct diplomacy with the United States through the P5-plus-1 process.

(9) On July 8, 2009, President Nicolas Sarkozy of France warned that the Group of Eight major powers will give the Islamic Republic of Iran until September 2009 to accept negotiations with respect to its nuclear activities or face tougher sanctions.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that—

(1) the Government of the Islamic Republic of Iran should—

(A) seize the historic offer put forward by President Barack Obama to engage in direct diplomacy with the United States;

(B) suspend all enrichment-related and reprocessing activities, including research and development, and work on all heavy-water related projects, including the construction of a research reactor moderated by heavy water, as demanded by multiple resolutions of the United Nations Security Council; and

(C) come into full compliance with the Nuclear Non-Proliferation Treaty, including the additional protocol to the Treaty; and

(2) the President should impose sanctions on the Central Bank of Iran and any other Iranian bank engaged in proliferation activities or support for terrorist groups, as well as any other sanctions the President determines appropriate, if—

(A) the Government of the Islamic Republic of Iran—

(i) has not accepted the offer by the United States to engage in direct diplomacy through the P5-plus-1 process before the Summit of the Group of 20 (G-20) in Pittsburgh, Pennsylvania, in September 2009; or

(ii) has not suspended all enrichment-related and reprocessing activities and work on all heavy-water related projects within 60 days of the conclusion of that Summit; and

(B) the United Nations Security Council has failed to adopt significant and meaningful additional sanctions on the Government of the Islamic Republic of Iran.

SEC. 1233. SENSE OF THE SENATE ON ENFORCEMENT AND IMPOSITION OF SANCTIONS WITH RESPECT TO NORTH KOREA; REVIEW TO DETERMINE WHETHER NORTH KOREA SHOULD BE RE-LISTED AS A STATE SPONSOR OF TERRORISM.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) On April 5, 2009, the Government of North Korea tested an intermediate range ballistic missile in violation of United Nations Security Council Resolutions 1695 (2006) and 1718 (2006).

(2) On April 5, 2009, President Barack Obama issued a statement on North Korea, stating that "Preventing the proliferation of weapons of mass destruction and their means of delivery is a high priority for my administration", and adding, "North Korea has ignored its international obligations, rejected unequivocal calls for restraint, and further isolated itself from the community of nations".

(3) On April 15, 2009, the Government of North Korea announced it was expelling international inspectors from its Yongbyon nuclear facility

and ending its participation in the Six Party Talks for the Denuclearization of the Korean Peninsula.

(4) On May 25, 2009, the Government of North Korea conducted a second nuclear test, in disregard of United Nations Security Council Resolution 1718, which was issued in 2006 following the first such test and which demanded that North Korea not conduct any further nuclear tests or launches of a ballistic missile.

(5) The State Department's 2008 Human Rights Report on North Korea, issued on February 25, 2009, found that human rights conditions inside North Korea remained poor, prison conditions are harsh and life-threatening, and citizens were denied basic freedoms such as freedom of speech, press, assembly, religion, and association.

(6) Pursuant to section 102(b)(2)(E) of the Arms Export Control Act (22 U.S.C. 2799aa-1(b)(2)(E)), President George W. Bush, on February 7, 2007, notified Congress that the United States Government would oppose the extension of any loan or financial or technical assistance to North Korea by any international financial institution and the prohibition on support for the extension of such loans or assistance remains in effect.

(7) On June 12, 2009, the United Nations Security Council passed Resolution 1874, condemning North Korea's nuclear test, imposing a sweeping embargo on all arms trade with North Korea, and requiring member states not to provide financial support or other financial services that could contribute to North Korea's nuclear-related or missile-related activities or other activities related to weapons of mass destruction.

(8) On July 15, 2009, the Sanctions Committee of the United Nations Security Council, pursuant to United Nations Security Council Resolution 1874, imposed a travel ban on five North Korean individuals and asset freezes on five more North Korean entities for their involvement in nuclear weapons and ballistic missile development programs, marking the first time the United Nations has imposed a travel ban on North Koreans.

(9) On June 10, 2008, the Government of North Korea issued a statement, subsequently conveyed directly to the United States Government, affirming that North Korea, "will firmly maintain its consistent stand of opposing all forms of terrorism and any support to it and will fulfill its responsibility and duty in the struggle against terrorism."

(10) The June 10, 2008, statement by the Government of North Korea also pledged that North Korea would take "active part in the international efforts to prevent substance, equipment and technology to be used for the production of nukes and biochemical and radioactive weapons from finding their ways to the terrorists and the organizations that support them".

(11) On June 26, 2008, President George W. Bush certified that—

(A) the Government of North Korea had not provided any support for international terrorism during the preceding 6-month period; and

(B) the Government of North Korea had provided assurances that it will not support acts of international terrorism in the future.

(12) The President's June 26 certification concluded, based on all available information, that there was "no credible evidence at this time of ongoing support by the DPRK for international terrorism" and that "there is no credible or sustained reporting at this time that supports allegations (including as cited in recent reports by the Congressional Research Service) that the DPRK has provided direct or witting support for Hezbollah, Tamil Tigers, or the Iranian Revolutionary Guard".

(13) The State Department's Country Reports on Terrorism 2008, in a section on North Korea, state, "The Democratic People's Republic of Korea (DPRK) was not known to have sponsored any terrorist acts since the bombing of a Korean Airlines flight in 1987."

(14) The Country Reports on Terrorism 2008 also state, "A state that directs WMD resources to terrorists, or one from which enabling resources are clandestinely diverted, poses a grave WMD terrorism threat. Although terrorist organizations will continue to seek a WMD capability independent of state programs, the sophisticated WMD knowledge and resources of a state could enable a terrorist capability. State sponsors of terrorism and all nations that fail to live up to their international counterterrorism and nonproliferation obligations deserve greater scrutiny as potential facilitators of WMD terrorism."

(15) On October 11, 2008, the Secretary of State, pursuant to the President's certification, removed North Korea from its list of state sponsors of terrorism, on which North Korea had been placed in 1988.

(b) **REPORT ON CONDUCT OF NORTH KOREA.**—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress a detailed report examining the conduct of the Government of North Korea since June 26, 2008, based on all available information, to determine whether North Korea meets the statutory criteria for listing as a state sponsor of terrorism. The report shall—

(1) present any credible evidence of support by the Government of North Korea for acts of terrorism, terrorists, or terrorist organizations;

(2) examine what steps the Government of North Korea has taken to fulfill its June 10, 2008, pledge to prevent weapons of mass destruction from falling into the hands of terrorists; and

(3) assess the effectiveness of re-listing North Korea as a state sponsor of terrorism as a tool to accomplish the objectives of the United States with respect to North Korea, including completely eliminating North Korea's nuclear weapons programs, preventing North Korean proliferation of weapons of mass destruction, and encouraging North Korea to abide by international norms with respect to human rights.

(c) **SENSE OF THE SENATE.**—It is the sense of the Senate that—

(1) the United States should—

(A) vigorously enforce United Nations Security Council Resolutions 1718 (2006) and 1874 (2009) and other sanctions in place with respect to North Korea under United States law;

(B) urge all member states of the United Nations to fully implement the sanctions imposed by United Nations Security Council Resolutions 1718 and 1874; and

(C) explore the imposition of additional unilateral and multilateral sanctions against North Korea in furtherance of United States national security;

(2) the conduct of North Korea constitutes a threat to the northeast Asian region and to international peace and security;

(3) if the United States determines that the Government of North Korea has provided assistance to terrorists or engaged in state sponsored acts of terrorism, the Secretary of State should immediately list North Korea as a state sponsor of terrorism; and

(4) if the United States determines that the Government of North Korea has failed to fulfill its June 10, 2008, pledges, the Secretary of State should immediately list North Korea as a state sponsor of terrorism.

(d) **STATE SPONSOR OF TERRORISM DEFINED.**—For purposes of this section, the term "state sponsor of terrorism" means a country that has repeatedly provided support for acts of international terrorism for purposes of—

(1) section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.));

(2) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

(3) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

SEC. 1234. REPORT ON THE PLAN FOR THE UNITED STATES NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, AND DELIVERY PLATFORMS AND SENSE OF THE SENATE ON FOLLOW-ON NEGOTIATIONS TO START TREATY.

(a) **REPORT ON THE PLAN FOR THE UNITED STATES NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, AND DELIVERY PLATFORMS.**—

(1) **REPORT REQUIRED.**—Not later than 30 days after the date of the enactment of this Act or at the time a follow-on treaty to the Strategic Arms Reduction Treaty (START Treaty) is submitted by the President to the Senate for its advice and consent, whichever is earlier, the President shall submit to the congressional defense and foreign relations committees a report on the plan to enhance the safety, security, and reliability of the United States nuclear weapons stockpile, modernize the nuclear weapons complex, and maintain the delivery platforms for nuclear weapons.

(2) **COORDINATION.**—The President shall prepare the report required under paragraph (1) in coordination with the Secretary of Defense, the directors of Sandia National Laboratory, Los Alamos National Laboratory, and Lawrence Livermore National Laboratory, the Administrator for the National Nuclear Security Administration, and the Commander of the United States Strategic Command.

(3) **ELEMENTS.**—The report required under paragraph (1) shall include the following:

(A) A description of the plan to enhance the safety, security, and reliability of the United States nuclear weapons stockpile.

(B) A description of the plan to modernize the nuclear weapons complex, including improving the safety of facilities, modernizing the infrastructure, and maintaining the key capabilities and competencies of the nuclear weapons workforce, including designers and technicians.

(C) A description of the plan to maintain delivery platforms for nuclear weapons.

(D) An estimate of budget requirements, including the costs associated with the plans outlined under subparagraphs (A) through (C), over a 10-year period.

(b) **SENSE OF THE SENATE ON FOLLOW-ON NEGOTIATIONS TO THE START TREATY.**—The Senate urges the President to maintain the stated position of the United States that the follow-on treaty to the START Treaty not include any limitations on the ballistic missile defense systems, space capabilities, or advanced conventional weapons systems of the United States.

SEC. 1235. SENSE OF CONGRESS ON CONTINUED SUPPORT BY THE UNITED STATES FOR A STABLE AND DEMOCRATIC REPUBLIC OF IRAQ.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The men and women of the United States Armed Forces who have served or are serving in the Republic of Iraq have done so with the utmost bravery and courage and deserve the respect and gratitude of the people of the United States and the people of Iraq.

(2) The leadership of Generals David Petraeus and Raymond Odierno, as the Commanders of the Multi-National Force Iraq, as well as Ambassador Ryan Crocker, was instrumental in bringing stability and success to Iraq.

(3) The strategy known as the surge was a critical factor contributing to significant security gains and facilitated the economic, political, and social gains that have occurred in Iraq since 2007.

(4) The people of Iraq have begun to develop a stable government and stable society because of the security gains following the surge and the willingness of the people of Iraq to accept the ideals of a free and fair democratic society over the tyranny espoused by Al Qaeda and other terrorist organizations.

(5) The security gains in Iraq must be carefully maintained so that those fragile gains can be solidified and expanded upon, primarily by

citizens of Iraq in service to their country, with the support of the United States as appropriate.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) a stable and democratic Republic of Iraq is in the long-term national security interest of the United States;

(2) the people and the Government of the United States should help the people of Iraq promote the stability of their country and peace in the region; and

(3) the United States should be a long-term strategic partner with the Government and the people of Iraq in support of their efforts to build democracy, good governance, and peace and stability in the region.

SEC. 1236. REPORT ON FEASIBILITY AND DESIRABILITY OF ESTABLISHING GENERAL UNIFORM PROCEDURES AND GUIDELINES FOR THE PROVISION OF MONETARY ASSISTANCE BY THE UNITED STATES TO CIVILIAN FOREIGN NATIONALS FOR LOSSES INCIDENT TO COMBAT ACTIVITIES OF THE ARMED FORCES.

(a) **REPORT.**—The Secretary of Defense shall submit to Congress a report on the feasibility and the desirability of establishing general uniform procedures and guidelines for the provision by the United States of monetary assistance to civilian foreign nationals for losses, injuries, or death (hereafter “harm”) incident to combat activities of the United States Armed Forces during contingency operations.

(b) **MATTERS TO BE INCLUDED IN REPORT.**—The Secretary shall include in the report the following:

(1) A description of the authorities under laws in effect as of the date of the enactment of this Act for the United States to provide compensation, monetary payments, or other assistance to civilians who incur harm due directly or indirectly to the combat activities of the United States Armed Forces.

(2) A description of the practices in effect as of the date of enactment of this Act for the United States to provide ex gratia, solatia, or other types of condolence payments to civilians who incur harm due directly or indirectly to the combat activities of the United States Armed Forces.

(3) A discussion of the historic practice of the United States to provide compensation, other monetary payments, or other assistance to civilian foreign nationals who incur harm due directly or indirectly to combat activities of the United States Armed Forces.

(4) A discussion of the practice of the United States in Operation Enduring Freedom and Operation Iraqi Freedom to provide compensation, other monetary payments, or other assistance to civilian foreign nationals who incur harm due directly or indirectly to the combat activities of the United States Armed Forces, including the procedures and guidelines used and an assessment of its effectiveness. This discussion will also include estimates of the total amount of funds disbursed to civilian foreign nationals who have incurred harm since the inception of Operation Iraqi Freedom and Operation Enduring Freedom. This discussion will also include how such procedures and guidelines compare to the processing of claims filed under the Foreign Claims Act.

(5) A discussion of the positive and negative effects of using different authorities, procedure, and guidelines to provide monetary assistance to civilian foreign nationals, based upon the culture and economic circumstances of the local populace and the operational impact on the military mission. This discussion will also include whether the use of different authorities, procedures, and guidelines has resulted in disparate monetary assistance to civilian foreign nationals who have incurred substantially similar harm, and if so, the frequency and effect of such results.

(6) A discussion of the positive and negative effects of establishing general uniform proce-

dures and guidelines for the provision of such assistance, based upon the goals of timely commencement of a program of monetary assistance, efficient and effective implementation of such program, and consistency in the amount of assistance in relation to the harm incurred. This discussion will also include whether the implementation of general procedures and guidelines would create a legally enforceable entitlement to “compensation” and, if so, any potential significant operational impact arising from such an entitlement.

(7) Assuming general uniform procedures and guidelines were to be established, a discussion of the following:

(A) Whether such assistance should be limited to specified types of combat activities or operations, e.g., such as during counterinsurgency operations.

(B) Whether such assistance should be contingent upon a formal determination that a particular combat activity/operation is a qualifying activity, and the criteria, if any, for such a determination.

(C) Whether a time limit from the date of loss for providing such assistance should be prescribed.

(D) Whether only monetary or other types of assistance should be authorized, and what types of nonmonetary assistance, if any, should be authorized.

(E) Whether monetary value limits should be placed on the assistance that may be provided, or whether the determination to provide assistance and, if so, the monetary value of such assistance, should be based, in whole or in part, on a legal advisor’s assessment of the facts.

(F) Whether a written record of the determination to provide or to not provide such assistance should be maintained and a copy made available to the civilian foreign national.

(G) Whether in the event of a determination to not provide such assistance the civilian foreign national should be afforded the option of a review of the determination by a higher ranking authority.

(c) **RECOMMENDATIONS.**—The Secretary shall include in the report such recommendations as the Secretary considers appropriate for legislative or administrative action with respect to the matters discussed in the report.

(d) **SUBMISSION OF REPORT.**—The report shall be submitted not later than 180 days after the date of the enactment of this Act. The report shall be submitted in unclassified form, but may include a classified annex.

Subtitle D—VOICE Act

SEC. 1241. SHORT TITLE.

This subtitle may be cited as the “Victims of Iranian Censorship Act” or the “VOICE Act”.

SEC. 1242. SENSE OF CONGRESS.

It is the sense of Congress that the United States—

(1) respects the sovereignty, proud history, and rich culture of the Iranian people;

(2) respects the universal values of freedom of speech and freedom of the press in Iran and throughout the world;

(3) supports the Iranian people as they take steps to peacefully express their voices, opinions, and aspirations;

(4) supports the Iranian people seeking access to news and other forms of information;

(5) condemns the detainment, imprisonment, and intimidation of all journalists, in Iran and elsewhere throughout the world;

(6) supports journalists who take great risk to report on political events in Iran, including those surrounding the presidential election;

(7) supports the efforts the Voice of America’s (VOA) 24-hour television station Persian News Network, and Radio Free Europe / Radio Liberty’s (RFE/RL) Radio Farda 24-hour radio station; British Broadcasting Corporation (BBC) Farsi language programming; Radio Zamaneh; and other independent news outlets to provide information to Iran;

(8) condemns acts of censorship, intimidation, and other restrictions on freedom of the press, freedom of speech, and freedom of expression in Iran and throughout the world;

(9) commends companies which have facilitated the ability of the Iranian people to access and share information, and exercise freedom of speech, freedom of expression, and freedom of assembly through alternative technologies; and

(10) condemns companies which have knowingly impeded the ability of the Iranian people to access and share information and exercise freedom of speech, freedom of expression, and freedom of assembly through electronic media, including through the sale of technology that allows for deep packet inspection or provides the capability to monitor or block Internet access, and gather information about individuals.

SEC. 1243. STATEMENT OF POLICY.

It shall be the policy of the United States—

(1) to support freedom of the press, freedom of speech, freedom of expression, and freedom of assembly in Iran;

(2) to support the Iranian people as they seek, receive, and impart information and promote ideas in writing, in print, or through any media without interference;

(3) to discourage businesses from aiding efforts to interfere with the ability of the people of Iran to freely access or share information or otherwise infringe upon freedom of speech, freedom of expression, freedom of assembly, and freedom of the press through the Internet or other electronic media, including through the sale of deep packet inspection or other technology to the Government of Iran that provides the capability to monitor or block Internet access, and gather information about individuals; and

(4) to encourage the development of technologies, including Internet Web sites that facilitate the efforts of the Iranian people—

(A) to gain access to and share accurate information and exercise freedom of speech, freedom of expression, freedom of assembly, and freedom of the press, through the Internet or other electronic media; and

(B) engage in Internet-based education programs and other exchanges between United States citizens and Iranians.

SEC. 1244. AUTHORIZATION OF APPROPRIATIONS.

(a) **INTERNATIONAL BROADCASTING OPERATIONS FUND.**—In addition to amounts otherwise authorized for the Broadcasting Board of Governors' International Broadcasting Operations Fund, there is authorized to be appropriated \$15,000,000 to expand Farsi language programming and to provide for the dissemination of accurate and independent information to the Iranian people through radio, television, Internet, cellular telephone, short message service, and other communications.

(b) **BROADCASTING CAPITAL IMPROVEMENTS FUND.**—In addition to amounts otherwise authorized for the Broadcasting Board of Governors' Broadcasting Capital Improvements Fund, there is authorized to be appropriated \$15,000,000 to expand transmissions of Farsi language programs to Iran.

(c) **USE OF AMOUNTS.**—In pursuit of the objectives described in subsections (a) and (b), amounts in the International Broadcasting Operations Fund and the Capital Improvements Fund may be used to—

(1) develop additional transmission capability for Radio Farda and the Persian News Network to counter ongoing efforts to jam transmissions, including through additional shortwave and medium wave transmissions, satellite, and Internet mechanisms;

(2) develop additional proxy server capability and anti-censorship software to counter efforts to block Radio Farda and Persian News Network Web sites;

(3) develop technologies to counter efforts to block SMS text message exchange over cellular phone networks;

(4) expand program coverage and analysis by Radio Farda and the Persian News Network, including the development of broadcast platforms and programs, on the television, radio and Internet, for enhanced interactivity with and among the people of Iran;

(5) hire, on a permanent or short-term basis, additional staff for Radio Farda and the Persian News Network; and

(6) develop additional Internet-based, Farsi-language television programming, including a Farsi-language, Internet-based news channel.

SEC. 1245. IRANIAN ELECTRONIC EDUCATION, EXCHANGE, AND MEDIA FUND.

(a) **ESTABLISHMENT.**—There is established in the Treasury of the United States the Iranian Electronic Education, Exchange, and Media Fund (referred to in this section as the "Fund"), consisting of amounts appropriated to the Fund pursuant to subsection (f).

(b) **ADMINISTRATION.**—The Fund shall be administered by the Secretary of State.

(c) **OBJECTIVE.**—The objective of the Fund shall be to support the development of technologies, including Internet Web sites, that will aid the ability of the Iranian people to—

(1) gain access to and share information;

(2) exercise freedom of speech, freedom of expression, and freedom of assembly through the Internet and other electronic media;

(3) engage in Internet-based education programs and other exchanges between Americans and Iranians; and

(4) counter efforts—

(A) to block, censor, and monitor the Internet; and

(B) to disrupt or monitor cellular phone networks or SMS text message exchanges.

(d) **USE OF AMOUNTS.**—In pursuit of the objective described in subsection (c), amounts in the Fund may be used for grants to United States or foreign universities, nonprofit organizations, or companies for targeted projects that advance the purpose of the Fund, including projects that—

(1) develop Farsi-language versions of existing social-networking Web sites;

(2) develop technologies, including Internet-based applications, to counter efforts—

(A) to block, censor, and monitor the Internet; and

(B) to disrupt or monitor cellular phone networks or SMS text message exchanges;

(3) develop Internet-based, distance learning programs for Iranian students at United States universities; and

(4) promote Internet-based, people-to-people educational, professional, religious, or cultural exchanges and dialogues between United States citizens and Iranians.

(e) **TRANSFERS.**—Amounts in the Fund may be transferred to the United States Agency for International Development, the Broadcasting Board of Governors, or any other agency of the Federal Government to the extent that such amounts are used to carry out activities that will further the objective described in subsection (c).

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated \$20,000,000 to the Fund.

SEC. 1246. ANNUAL REPORT.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for 5 years, the President shall submit a report to Congress that provides a detailed description of—

(1) United States-funded international broadcasting efforts in Iran;

(2) efforts by the Government of Iran to block broadcasts sponsored by the United States or other non-Iranian entities;

(3) efforts by the Government of Iran to monitor or block Internet access, and gather information about individuals;

(4) plans by the Broadcasting Board of Governors for the use of the amounts appropriated pursuant to section 1244, including—

(A) the identification of specific programs and platforms to be expanded or created; and

(B) satellite, radio, or Internet-based transmission capacity to be expanded or created;

(5) plans for the use of the Iranian Electronic Education, Exchange, and Media Fund;

(6) a detailed breakdown of amounts obligated and disbursed from the Iranian Electronic Media Fund and an assessment of the impact of such amounts;

(7) the percentage of the Iranian population and of Iranian territory reached by shortwave and medium-wave radio broadcasts by Radio Farda and Voice of America;

(8) the Internet traffic from Iran to Radio Farda and Voice of America Web sites; and

(9) the Internet traffic to proxy servers sponsored by the Broadcasting Board of Governors, and the provisioning of surge capacity.

(b) **CLASSIFIED ANNEX.**—The report submitted under subsection (a) may include a classified annex.

SEC. 1247. REPORT ON ACTIONS BY NON-IRANIAN COMPANIES.

(a) **STUDY.**—The President shall direct the appropriate officials to examine claims that non-Iranian companies, including corporations with United States subsidiaries, have provided hardware, software, or other forms of assistance to the Government of Iran that has furthered its efforts to—

(1) filter online political content;

(2) disrupt cell phone and Internet communications; and

(3) monitor the online activities of Iranian citizens.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the President shall submit a report to Congress that contains the results of the study conducted under subsection (a). The report submitted under this subsection shall be submitted in unclassified form, but may include a classified annex.

SEC. 1248. HUMAN RIGHTS DOCUMENTATION.

There are authorized to be appropriated \$5,000,000 to the Secretary of State to document, collect, and disseminate information about human rights in Iran, including abuses of human rights that have taken place since the Iranian presidential election conducted on June 12, 2009.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) **SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.**—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2362 note).

(b) **FISCAL YEAR 2010 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.**—As used in this title, the term "fiscal year 2010 Cooperative Threat Reduction funds" means the funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs.

(c) **AVAILABILITY OF FUNDS.**—Funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2010, 2011, and 2012.

SEC. 1302. FUNDING ALLOCATIONS.

(a) **FUNDING FOR SPECIFIC PURPOSES.**—Of the \$424,093,000 authorized to be appropriated to the Department of Defense for fiscal year 2010 in section 301(a)(20) for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination in Russia, \$73,385,000.

(2) For strategic nuclear arms elimination in Ukraine, \$6,800,000.

(3) For nuclear weapons storage security in Russia, \$15,090,000.

(4) For nuclear weapons transportation security in Russia, \$46,400,000.

(5) For weapons of mass destruction proliferation prevention in the states of the former Soviet Union, \$90,886,000.

(6) For biological threat reduction in the states of the former Soviet Union, \$152,132,000.

(7) For chemical weapons destruction, \$3,000,000.

(8) For defense and military contacts, \$5,000,000.

(9) For new Cooperative Threat Reduction initiatives, \$10,000,000.

(10) For activities designated as Other Assessments/Administrative Costs, \$21,400,000.

(b) **REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.**—No fiscal year 2010 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (10) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2010 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) **LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2010 for a purpose listed in paragraphs (1) through (10) of subsection (a) in excess of the specific amount authorized for that purpose.

(2) **NOTICE-AND-WAIT REQUIRED.**—An obligation of funds for a purpose stated in paragraphs (1) through (10) of subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

SEC. 1303. AUTHORITY TO ENTER INTO AGREEMENTS TO RECEIVE CONTRIBUTIONS FOR BIOLOGICAL THREAT REDUCTION PROGRAM.

(a) **IN GENERAL.**—The Secretary of Defense may, with the concurrence of the Secretary of State, enter into one or more agreements with any person (including a foreign government, international organization, multinational entity, or any other entity) that the Secretary of Defense considers appropriate under which the person contributes funds for purposes of the Biological Threat Reduction Program of the Department of Defense.

(b) **RETENTION AND USE OF AMOUNTS.**—Notwithstanding section 3302 of title 31, United States Code, and subject to subsections (c) and (d), the Secretary of Defense may retain and obligate or expend amounts contributed pursuant to subsection (a) for purposes of the Biological Threat Reduction Program. Amounts so contributed shall be retained in a separate fund established in the Treasury for that purpose and shall be available to be obligated or expended without further appropriation.

(c) **RETURN OF AMOUNTS NOT OBLIGATED OR EXPENDED WITHIN THREE YEARS.**—If the Secretary of Defense does not obligate or expend an amount contributed pursuant to subsection (a) by the date that is three years after the date on which the contribution was made, the Secretary shall return the amount to the person who made the contribution.

(d) **NOTICE TO CONGRESSIONAL DEFENSE COMMITTEES.**—

(1) **IN GENERAL.**—Not later than 30 days after receiving an amount contributed pursuant to subsection (a), the Secretary shall submit to the congressional defense committees a notice—

(A) specifying the value of the contribution and the purpose for which the contribution was made; and

(B) identifying the person who made the contribution.

(2) **LIMITATION ON USE OF AMOUNTS.**—The Secretary may not obligate or expend an amount contributed pursuant to subsection (a) until the date that is 15 days after the date on which the Secretary submits the notice required by paragraph (1).

(e) **ANNUAL REPORT.**—Not later than October 31 each year, the Secretary of Defense shall submit to the congressional defense committees a report on amounts contributed pursuant to subsection (a) during the preceding fiscal year. Each such report shall include, for the fiscal year covered by the report, the following:

(1) A statement of any amounts contributed pursuant to subsection (a), including, for each such amount, the value of the contribution and the identity of the person who made the contribution.

(2) A statement of any amounts so contributed that were obligated or expended by the Secretary, including, for each such amount, the purposes for which the amount was obligated or expended.

(3) A statement of any amounts so contributed that were retained but not obligated or expended, including, for each such amount, the purposes (if known) for which the Secretary intends to obligate or expend the amount.

(f) **TERMINATION.**—The authority provided under this section shall terminate on December 31, 2015.

SEC. 1304. AUTHORIZATION OF USE OF COOPERATIVE THREAT REDUCTION PROGRAM FUNDS FOR BILATERAL AND MULTILATERAL NONPROLIFERATION AND DISARMAMENT ACTIVITIES.

(a) **IN GENERAL.**—Notwithstanding any other provision of law and subject to subsection (b), the Secretary of Defense may obligate or expend not more than 10 percent of the funds authorized to be appropriated or otherwise made available for Cooperative Threat Reduction programs in a fiscal year to provide assistance for or to otherwise carry out bilateral or multilateral activities relating to nonproliferation or disarmament.

(b) **NOTIFICATION OF CONGRESSIONAL DEFENSE COMMITTEES.**—The Secretary may obligate or expend funds pursuant to subsection (a) if, not less than 15 days before obligating or expending such funds—

(1) the Secretary notifies the congressional defense committees of the intent of the Secretary to obligate or expend such funds; and

(2) the President certifies to the congressional defense committees that obligating or expending such funds is necessary to support the national security objectives of the United States.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds in amounts as follows:

(1) For the Defense Working Capital Funds, \$141,388,000.

(2) For the Defense Working Capital Fund, Defense Commissary, \$1,313,616,000.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2010 for the National Defense Sealift Fund in the amount of \$1,242,758,000.

SEC. 1403. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal

year 2010 for expenses, not otherwise provided for, for the Defense Health Program, in the amount of \$27,913,863,000, of which—

(1) \$26,993,919,000 is for Operation and Maintenance;

(2) \$597,802,000 is for Research, Development, Test, and Evaluation; and

(3) \$322,142,000 is for Procurement.

SEC. 1404. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of \$1,560,760,000, of which—

(1) \$1,146,802,000 is for Operation and Maintenance;

(2) \$401,269,000 is for Research, Development, Test, and Evaluation; and

(3) \$12,689,000 is for Procurement.

(b) **USE.**—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1405. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, in the amount of \$1,077,784,000.

SEC. 1406. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, in the amount of \$288,444,000, of which—

(1) \$286,444,000 is for Operation and Maintenance; and

(2) \$2,000,000 is for Procurement.

SEC. 1407. FUNDING TABLE.

The amounts authorized to be appropriated by sections 1401, 1402, 1403, 1404, 1405, and 1406 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4401.

Subtitle B—National Defense Stockpile

SEC. 1411. EXTENSION OF PREVIOUSLY AUTHORIZED DISPOSAL OF COBALT FROM NATIONAL DEFENSE STOCKPILE.

Section 3305(a)(5) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 50 U.S.C. 98d note), as most recently amended by section 1412(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4648), is further amended by striking “during fiscal year 2009” and inserting “by the end of fiscal year 2011”.

SEC. 1412. AUTHORIZATION FOR ACTIONS TO CORRECT THE INDUSTRIAL RESOURCE SHORTFALL FOR HIGH-PURITY BERYLLIUM METAL IN AMOUNTS NOT IN EXCESS OF \$80,000,000.

With respect to any action taken by the President under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) to correct the industrial resource shortfall for high-purity beryllium metal, the limitation in subsection (a)(6)(C) of such section shall be applied by substituting “\$80,000,000” for “\$50,000,000”.

Subtitle C—Armed Forces Retirement Home

SEC. 1421. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is authorized to be appropriated for fiscal year 2010 from the Armed Forces Retirement

Home Trust Fund the sum of \$134,000,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—OVERSEAS CONTINGENCY OPERATIONS

SEC. 1501. PURPOSE.

The purpose of this title is to authorize appropriations for the Department of Defense for fiscal year 2010 to provide additional funding for overseas contingency operations of the Department of Defense in that fiscal year.

SEC. 1502. ARMY PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement accounts for the Army in amounts as follows:

- (1) For aircraft procurement, \$1,636,229,000.
- (2) For missile procurement, \$531,570,000.
- (3) For weapons and tracked combat vehicles procurement, \$759,466,000.
- (4) For ammunition procurement, \$370,635,000.
- (5) For other procurement, \$6,329,966,000.
- (6) For the Joint Improvised Explosive Device Defeat Fund, \$2,099,850,000.

SEC. 1503. NAVY AND MARINE CORPS PROCUREMENT.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement accounts for the Navy in amounts as follows:

- (1) For aircraft procurement, \$916,553,000.
 - (2) For weapons procurement, \$73,700,000.
 - (3) For other procurement, \$318,018,000.
- (b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2010 for the procurement account for the Marine Corps in the amount of \$1,164,445,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2010 for the procurement account for ammunition for the Navy and the Marine Corps in the amount of \$710,780,000.

SEC. 1504. AIR FORCE PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement accounts for the Air Force in amounts as follows:

- (1) For aircraft procurement, \$896,441,000.
- (2) For missile procurement, \$36,625,000.
- (3) For ammunition procurement, \$256,819,000.
- (4) For other procurement, \$2,321,549,000.

SEC. 1505. DEFENSE-WIDE ACTIVITIES PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2010 for the procurement account for Defense-wide activities as follows:

- (1) For Defense-wide procurement, \$491,430,000.
- (2) For the Mine Resistant Ambush Protected Vehicle Fund, \$5,456,000,000.

SEC. 1506. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Department of Defense for research, development, test, and evaluation as follows:

- (1) For the Army, \$57,962,000.
- (2) For the Navy, \$107,180,000.
- (3) For the Air Force, \$29,286,000.
- (4) For Defense-wide activities, \$115,826,000.

SEC. 1507. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

- (1) For the Army, \$52,070,661,000.
- (2) For the Navy, \$5,650,733,000.
- (3) For the Marine Corps, \$3,701,600,000.
- (4) For the Air Force, \$10,026,868,000.
- (5) For Defense-wide activities, \$7,578,300,000.
- (6) For the Army Reserve, \$204,326,000.
- (7) For the Navy Reserve, \$68,059,000.
- (8) For the Marine Corps Reserve, \$86,667,000.
- (9) For the Air Force Reserve, \$125,925,000.
- (10) For the Army National Guard, \$321,646,000.
- (11) For the Air National Guard, \$289,862,000.
- (12) For the Afghanistan Security Forces Fund, \$7,462,769,000.

(13) For the Iraq Freedom Fund, \$115,300,000.

SEC. 1508. MILITARY PERSONNEL.

There is hereby authorized to be appropriated for fiscal year 2010 for the Department of Defense for military personnel in the amount of \$13,586,341,000.

SEC. 1509. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds in the amount of \$396,915,000, for the Defense Working Capital Funds.

SEC. 1510. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for the Defense Health Program in the amount of \$1,155,235,000 for operation and maintenance.

SEC. 1511. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide in the amount of \$324,603,000.

SEC. 1512. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense in the amount of \$8,876,000.

SEC. 1513. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1514. FUNDING TABLES.

(a) AMOUNTS FOR PROCUREMENT.—The amounts authorized to be appropriated by sections 1502, 1503, 1504, and 1505 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4102.

(b) AMOUNTS FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.—The amounts authorized to be appropriated by section 1506 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4202.

(c) AMOUNTS FOR OPERATION AND MAINTENANCE.—The amounts authorized to be appropriated by section 1507 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4302.

(d) OTHER AMOUNTS.—The amounts authorized to be appropriated by sections 1509, 1510, 1511, and 1512 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4402.

SEC. 1515. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2010 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under

the authority of this subsection may not exceed \$4,500,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

SEC. 1516. LIMITATIONS ON AVAILABILITY OF FUNDS IN AFGHANISTAN SECURITY FORCES FUND.

Funds appropriated pursuant to the authorization of appropriations for the Afghanistan Security Forces Fund in section 1507(12) shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 428).

SEC. 1517. AVAILABILITY OF FUNDS IN PAKISTAN COUNTERINSURGENCY FUND.

(a) AVAILABILITY.—

(1) IN GENERAL.—Funds authorized to be appropriated for the Department of State for fiscal year 2010 that are transferred by the Secretary of State to the Secretary of Defense during that fiscal year for the Pakistan Counterinsurgency Fund shall be merged with amounts in the Pakistan Counterinsurgency Fund and available subject to the provisions of this section.

(2) INITIAL ASSESSMENT REQUIRED BEFORE USE OF FUNDS.—Funds available under this section may not be utilized until the Secretary of Defense submits to the appropriate committees of Congress a report setting forth an assessment by the Secretary as to whether the Government of Pakistan is committed to confronting the threat posed by Al Qaeda, the Taliban, and other militant extremists based on a determination by the Government of Pakistan that—

(A) these groups pose a threat to the national interests of Pakistan; and

(B) confronting the threat posed by these groups is critical to the national interests of Pakistan.

(b) USE OF FUNDS.—

(1) IN GENERAL.—Funds in the Pakistan Counterinsurgency Fund pursuant to a transfer under subsection (a) shall be available to the Secretary of Defense to provide assistance to the security forces of Pakistan to build the counterinsurgency capability of the Pakistan military forces and the Pakistan Frontier Corps.

(2) TYPES OF ASSISTANCE.—Assistance provided under this subsection may include the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, construction and funding.

(3) URGENT HUMANITARIAN RELIEF AND RECONSTRUCTION.—In addition to the assistance referred to in paragraph (2), up to \$4,000,000 of the funds in the Pakistan Counterinsurgency Fund pursuant to a transfer described in subsection (a) may be used for a program to respond to urgent humanitarian relief and reconstruction requirements that will immediately assist Pakistani people affected by military operations.

(c) AUTHORITY IN ADDITION TO OTHER AUTHORITIES.—The authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations.

(d) TRANSFERS AUTHORITY.—

(1) TRANSFERS AUTHORIZED.—Subject to paragraph (2), funds in the Pakistan Counterinsurgency Fund pursuant to a transfer described in subsection (a) may be transferred by the Secretary of Defense from the Pakistan Counterinsurgency Fund to any of the following accounts and funds of the Department of Defense to accomplish the purposes specified in subsection (b):

(A) Operation and maintenance accounts.

(B) Procurement accounts.

(C) Research, development, test, and evaluation accounts.

(D) Defense working capital funds.

(E) Overseas Humanitarian, Disaster, and Civic Aid account.

(2) **ADDITIONAL AUTHORITY.**—The transfer authority provided by paragraph (1) is in addition to any other transfer authority available to the Department of Defense.

(3) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer of an amount to an account under the authority in paragraph (1) shall be deemed to increase the amount authorized for such account by an amount equal to the amount transferred.

(e) **PRIOR NOTICE TO CONGRESS OF TRANSFER.**—Funds in the Pakistan Counterinsurgency Fund pursuant to a transfer described in subsection (a) may not be transferred under subsection (d)(1) from the Pakistan Counterinsurgency Fund until 15 days after the date on which the Secretary of Defense notifies the appropriate committees of Congress in writing of the details of the proposed transfer.

(f) **QUARTERLY REPORTS.**—Not later than 30 days after the end of each fiscal-year quarter of fiscal years 2010 and 2011, the Secretary of Defense shall submit to the appropriate committees of Congress a report summarizing the details of any obligation or transfer of funds from the Pakistan Counterinsurgency Fund under this section during such fiscal-year quarter.

(g) **DURATION OF AUTHORITY.**—Amounts transferred to the Pakistan Counterinsurgency Fund as described in subsection (a) are available for obligation or transfer from the Pakistan Counterinsurgency Fund in accordance with this section until September 30, 2011.

(h) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2010”.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) **EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.**—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2012; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013.

(b) **EXCEPTION.**—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2012; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2013 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII shall take effect on the later of—

(1) October 1, 2009; or

(2) the date of the enactment of this Act.

SEC. 2004. FUNDING TABLES.

(a) **IN GENERAL.**—The amounts authorized to be appropriated by sections 2104, 2204, 2304, 2404, 2411, 2502, and 2606 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4501.

(b) **BASE CLOSURE AND REALIGNMENT ACTIVITIES.**—The amounts authorized to be appropriated by section 2703 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4502.

(c) **PROJECTS FUNDED BY AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.**—The amounts authorized by section 2801 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4503.

(d) **OVERSEAS CONTINGENCY OPERATIONS.**—The amounts authorized to be appropriated by sections 2901 and 2902 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4504.

SEC. 2005. TECHNICAL CORRECTIONS REGARDING CERTAIN MILITARY CONSTRUCTION PROJECTS, NEW MEXICO.

Notwithstanding the table in section 4501, the amounts available for the following projects at the following installations shall be as follows:

Air Force: Inside the United States

| <i>State</i> | <i>Installation</i> | <i>Project Title</i> | <i>Senate Authorized Amount</i> |
|------------------|-------------------------------|---------------------------------|---------------------------------|
| New Mexico | Holloman Air Force Base | Fire-Crash Rescue Station | \$0 |

Special Operations Command

| <i>State</i> | <i>Installation</i> | <i>Project Title</i> | <i>Senate Authorized Amount</i> |
|------------------|-----------------------------|----------------------------------------|---------------------------------|
| New Mexico | Cannon Air Force Base | SOF AC 130 Loadout Apron Phase 1 | \$6,000,000 |

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

| <i>State</i> | <i>Installation or Location</i> | <i>Amount</i> |
|------------------|------------------------------------------|---------------|
| Alaska | Fort Richardson | \$56,050,000 |
| | Fort Wainwright | \$198,000,000 |
| Alabama | Redstone Arsenal | \$3,550,000 |
| Arizona | Fort Huachuca | \$21,000,000 |
| Arkansas | Pine Bluff Arsenal | \$25,000,000 |
| California | Fort Irwin | \$9,500,000 |
| Colorado | Fort Carson | \$233,400,000 |
| Florida | Eglin Air Force Base | \$132,800,000 |
| Georgia | Fort Benning | \$295,300,000 |
| | Fort Gillem | \$10,800,000 |
| | Fort Stewart/Hunter Army Air Field | \$105,967,000 |
| Hawaii | Schofield Barracks | \$184,000,000 |
| | Wheeler Army Air Field | \$7,500,000 |
| Kansas | Fort Riley | \$168,500,000 |
| Kentucky | Fort Knox | \$70,000,000 |
| Louisiana | Fort Polk | \$49,000,000 |
| Maryland | Aberdeen Proving Ground | \$15,500,000 |
| | Fort Detrick | \$39,000,000 |
| Missouri | Fort Leonard Wood | \$163,000,000 |

Army: Inside the United States—Continued

| State | Installation or Location | Amount |
|----------------------|---------------------------------------------|---------------|
| New York | Fort Drum | \$84,500,000 |
| North Carolina | Fort Bragg | \$113,650,000 |
| | Sunny Point (Military Ocean Terminal) | \$28,900,000 |
| Oklahoma | Fort Sill | \$90,500,000 |
| | McAlester Army Ammunition Plant | \$12,500,000 |
| South Carolina | Fort Jackson | \$103,500,000 |
| | Naval Weapons Station, Charleston | \$21,800,000 |
| Texas | Fort Bliss | \$219,400,000 |
| | Fort Hood | \$32,100,000 |
| | Fort Sam Houston | \$19,800,000 |
| Utah | Dugway Proving Ground | \$25,000,000 |
| Virginia | Fort A.P. Hill | \$23,000,000 |
| | Fort Belvoir | \$17,900,000 |
| | Fort Eustis | \$8,900,000 |
| Washington | Fort Lewis | \$9,700,000 |

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

| Country | Installation or Location | Amount |
|-------------------|--------------------------|---------------|
| Afghanistan | Bagram Airfield | \$106,600,000 |
| Germany | Ansbach | \$31,700,000 |
| | Kleber Kaserne | \$20,000,000 |
| Japan | Okinawa | \$6,000,000 |
| | Sagamihara | \$6,000,000 |
| Korea | Camp Humphreys | \$50,200,000 |
| Kuwait | Camp Arifjan | \$82,000,000 |

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

| Country | Installation or Location | Units | Amount |
|---------------|--------------------------|----------|--------------|
| Germany | Baumholder | 38 | \$18,000,000 |

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$3,936,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed \$219,300,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of \$4,262,800,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), \$2,619,217,000.

(2) For military construction projects outside the United States authorized by section 2101(b), \$302,500,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, \$23,000,000.

(4) For architectural and engineering services and construction design under section

2807 of title 10, United States Code, \$178,029,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, \$241,236,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), \$523,418,000.

(6) For the construction of increment 4 of a brigade complex at Fort Lewis, Washington, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2445), as amended by section 20814 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289), as added by section 2 of the Revised Continuing Resolution, 2007 (Public Law 110-5; 121 Stat 41), \$102,000,000.

(7) For the construction of increment 3 of a brigade complex operational support facility at Vicenza, Italy, authorized by section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 505), \$23,500,000.

(8) For the construction of increment 3 of a brigade complex barracks and community support facility at Vicenza, Italy, authorized by section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 505), \$22,500,000.

(9) For the construction of increment 3 of the United States Southern Command Headquarters at Miami Doral, Florida, authorized by section 2101(a) of the Military Construc-

tion Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 504), \$55,400,000.

(10) For the construction of increment 2 of a barracks and dining complex at Fort Carson, Colorado, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4659), \$60,000,000.

(11) For the construction of increment 2 of a barracks and dining complex at Fort Stewart/Hunter Army Air Field, Georgia, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4659), \$80,000,000.

(12) For the construction of increment 2 of the family housing replacement construction at Wiesbaden Air Base, Germany, authorized by section 2102(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4663), \$10,000,000.

(13) For the construction of increment 2 of the family housing replacement construction at Wiesbaden Air Base, Germany, authorized by section 2102(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4663), \$11,000,000.

(14) For the construction of increment 2 of the family housing replacement construction at Wiesbaden Air Base, Germany, authorized by section 2102(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4663), \$11,000,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the

cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(2) \$25,000,000 (the balance of the amount authorized under section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 505) for construction of a bri-

gade complex operations support facility at Vicenza, Italy.

(3) \$26,000,000 (the balance of the amount authorized under section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 505) for construction of a brigade complex operations support facility at Vicenza, Italy.

SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2006 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authoriza-

tion Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3501), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (119 Stat. 3485), shall remain in effect until October 1, 2010, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2006 Project Authorizations

| State/Country | Installation or Location | Project | Amount |
|---------------|-----------------------------|--------------------------------------|--------------|
| Hawaii | Pohakuloa Training Area ... | Tactical Vehicle Wash Facility | \$9,207,000 |
| | Pohakuloa Training Area ... | Battle Area Complex | \$33,660,000 |

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Inside the United States

| State | Installation or Location | Amount |
|----------------------|--------------------------------------------------------|---------------|
| Arizona | Marine Corps Air Station, Yuma | \$28,770,000 |
| California | Mountain Warfare Training Center, Bridgeport | \$4,460,000 |
| | Edwards Air Force Base | \$3,007,000 |
| | Marine Corps Air Station, Miramar | \$9,280,000 |
| | Marine Corps Base, Pendleton | \$775,162,000 |
| | Naval Base Point Loma | \$8,730,000 |
| | Marine Corps Recruit Depot, San Diego | \$23,590,000 |
| | Marine Air Ground Combat Center Twentynine Palms | \$513,680,000 |
| Florida | Marine Corps Support Facility, Blount Island | \$3,760,000 |
| | Eglin Air Force Base | \$50,847,000 |
| | Naval Air Station, Jacksonville | \$5,917,000 |
| | Naval Air Station, Whiting Field | \$4,120,000 |
| | Naval Station, Mayport | \$75,985,000 |
| | Pensacola | \$26,161,000 |
| Hawaii | Naval Station Pearl Harbor | \$65,542,000 |
| | Marine Corps Base, Hawaii | \$5,380,000 |
| Indiana | Naval Support Activity Crane | \$13,710,000 |
| Maine | Portsmouth Naval Shipyard | \$7,100,000 |
| Nevada | Naval Air Station Fallon | \$11,450,000 |
| North Carolina | Marine Corps Air Station, Cherry Point | \$22,960,000 |
| | Marine Corps Air Station, New River | \$107,090,000 |
| | Marine Corps Base, Camp Lejeune | \$673,570,000 |
| | Naval Station, Newport | \$56,353,000 |
| Rhode Island | Marine Corps Air Station, Beaufort | \$1,280,000 |
| South Carolina | Marine Corps Recruit Depot, Parris Island | \$6,972,000 |
| Texas | Naval Air Station, Corpus Christi | \$19,764,000 |
| Virginia | Dahlgren | \$3,660,000 |
| | Marine Corps Base, Quantico | \$105,240,000 |
| | Naval Amphibious Base, Little Creek | \$13,095,000 |
| | Naval Station, Norfolk | \$18,139,000 |
| | Norfolk Naval Shipyard | \$226,969,000 |
| Washington | Bremerton | \$69,064,000 |
| | Spokane | \$12,707,000 |
| West Virginia | Naval Security Group, Sugar Grove | \$9,650,000 |

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

| Country | Installation or Location | Amount |
|----------------|------------------------------|---------------|
| Bahrain | Southwest Asia | \$41,526,000 |
| Djibouti | Djibouti | \$41,845,000 |
| Guam | Naval Activities, Guam | \$286,829,000 |
| Spain | Naval Station, Rota | \$26,278,000 |

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Navy: Family Housing

| Location | Installation or Location | Units | Amount |
|-----------------------|------------------------------|-------------------------------|--------------|
| Korea | Pusan | Welcome center/ warehouse. | \$4,376,000 |
| Mariana Islands | Naval Activities, Guam | 30 | \$20,730,000 |

(b) **PLANNING AND DESIGN.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$2,771,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed \$118,692,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) **IN GENERAL.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of \$4,053,880,000, as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), \$2,756,105,000.

(2) For military construction projects outside the United States authorized by section 2201(b), \$229,445,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, \$12,483,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$166,896,000.

(5) For military family housing functions:
(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, \$146,569,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), \$368,540,000.

(6) For the construction of increment 3 of a submarine drive-in magnetic silencing facility at Naval Base Pearl Harbor, Hawaii, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 510), \$8,645,000.

(7) For the construction of increment 6 of the limited area production and storage complex at Bangor, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2106), \$87,292,000.

(8) For the construction of increment 2 of enclave fencing at Naval Submarine Base, Bangor, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3490), as amended by section 2205 of this Act, \$67,419,000.

(9) For the construction of the first increment of a ship repair pier replacement at Norfolk Naval Shipyard, Virginia, authorized by section 2201(a), \$126,969,000.

(10) For the construction of the first increment of a wharves improvement, Apra Harbor, Guam, authorized by section 2201(b), \$83,517,000.

(b) **LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.**—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(2) \$100,000,000 (the balance of the amount authorized under section 2202(a) for Ship Repair Pier Replacement at the Norfolk Naval Shipyard, Virginia).

(3) \$83,516,000 (the balance of the amount of \$167,033,000 authorized under section 2202(b)

for wharves improvements, Apra Harbor, Guam).

SEC. 2205. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2006 PROJECT.

(a) **MODIFICATION.**—The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3490) is amended in the item relating to Naval Submarine Base, Bangor, Washington, by striking “\$60,160,000” and inserting “\$127,163,000”.

(b) **CONFORMING AMENDMENT.**—Section 2204(b) of that Act (119 Stat. 3492) is amended by adding at the end the following new subparagraph:

“(11) \$67,003,000 (the balance of the amount authorized under section 2201(a) for construction of a waterfront security enclave at Naval Submarine Base, Bangor, Washington).”.

(c) **EXTENSION.**—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3501), the authorization relating to enclave fencing/parking at Naval Submarine Base, Bangor, Washington (formerly referred to as a project at Naval Submarine Base, Bangor, Washington), as provided in section 2201 of that Act, shall remain in effect until October 1, 2012, or the date of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.

TITLE XXIII—AIR FORCE**SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

| State | Installation or Location | Amount |
|----------------------|---------------------------------------|--------------|
| Alaska | Clear Air Force Station | \$24,300,000 |
| | Eielson Air Force Base | \$13,350,000 |
| | Elmendorf Air Force Base | \$15,700,000 |
| Arizona | Davis-Monthan Air Force Base | \$41,900,000 |
| Arkansas | Little Rock Air Force Base | \$16,200,000 |
| California | Travis Air Force Base | \$6,900,000 |
| | Vandenberg Air Force Base | \$13,000,000 |
| Colorado | Peterson Air Force Base | \$25,100,000 |
| | United States Air Force Academy | \$17,500,000 |
| Delaware | Dover Air Force Base | \$24,900,000 |
| Florida | Eglin Air Force Base | \$59,800,000 |
| | Hurlburt Field | \$10,500,000 |
| | MacDill Air Force Base | \$38,300,000 |
| | Patrick Air Force Base | \$8,400,000 |
| Georgia | Moody Air Force Base | \$8,900,000 |
| Hawaii | Wheeler Air Force Base | \$15,000,000 |
| Idaho | Mountain Home Air Force Base | \$20,000,000 |
| Illinois | Scott Air Force Base | \$7,400,000 |
| Louisiana | Barksdale Air Force Base | \$12,800,000 |
| Maryland | Andrews Air Force Base | \$9,300,000 |
| Nebraska | Offutt Air Force Base | \$10,400,000 |
| Nevada | Creech Air Force Base | \$2,700,000 |
| New Mexico | Cannon Air Force Base | \$15,000,000 |
| | Holloman Air Force Base | \$15,500,000 |
| North Carolina | Pope Air Force Base | \$7,700,000 |
| North Dakota | Grand Forks Air Force Base | \$12,000,000 |

Air Force: Inside the United States—Continued

| State | Installation or Location | Amount |
|--------------------|----------------------------------------|---------------|
| Ohio | Minot Air Force Base | \$11,500,000 |
| Oklahoma | Wright-Patterson Air Force Base | \$58,600,000 |
| | Altus Air Force Base | \$20,300,000 |
| | Tinker Air Force Base | \$13,037,000 |
| | Vance Air Force Base | \$10,700,000 |
| South Dakota | Ellsworth Air Force Base | \$14,500,000 |
| Texas | Dyess Air Force Base | \$4,500,000 |
| | Goodfellow Air Force Base | \$44,400,000 |
| | Lackland Air Force Base | \$113,879,000 |
| | Sheppard Air Force Base | \$11,600,000 |
| Utah | Hill Air Force Base | \$21,053,000 |
| Virginia | Langley Air Force Base | \$10,000,000 |
| Washington | Fairchild Air Force Base | \$11,000,000 |
| Wyoming | Francis E. Warren Air Force Base | \$9,100,000 |

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

| Country | Installation or Location | Amount |
|-------------------|-------------------------------|--------------|
| Afghanistan | Bagram Air Base | \$22,000,000 |
| Colombia | Palanquero Air Base | \$46,000,000 |
| Germany | Ramstein Air Base | \$34,700,000 |
| | Spangdahlem Air Base | \$23,500,000 |
| Guam | Andersen Air Force Base | \$58,202,000 |
| Qatar | Al Udeid Air Base | \$60,000,000 |
| Turkey | Incirlik Air Base | \$9,200,000 |

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(5)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,314,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(5)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$61,787,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal years beginning after Sep-

tember 30, 2009, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of \$1,736,421,000, as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), \$812,115,000.

(2) For military construction projects outside the United States authorized by section 2301(b), \$253,602,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, \$18,000,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$83,667,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, \$66,101,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), \$502,936,000.

SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2007 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2463), authorizations set forth in the table in subsection (b), as provided in sections 2301 and 2302 of that Act, shall remain in effect until October 1, 2010, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2007 Project Authorizations

| State | Installation or Location | Project | Amount |
|----------------|------------------------------------|------------------------------------------|---------------|
| Delaware | Dover Air Force Base | C-17 Aircrew Life Support | \$7,400,000 |
| Idaho | Mountain Home Air Force Base | Replace Family Housing (457 units) | \$107,800,000 |

SEC. 2306. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2006 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authoriza-

tion Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3501), authorizations set forth in the table in subsection (b), as provided in section 2302 of that Act, shall remain in effect until October 1, 2010, or the

date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2006 Project Authorizations

| State/Country | Installation or Location | Project | Amount |
|--------------------|----------------------------------|------------------------------------------------|--------------|
| Alaska | Eielson Air Force Base | Replace Family Housing (92 units) | \$37,650,000 |
| | Eielson Air Force Base | Purchase Build/Lease Housing (300 Units) | \$18,144,000 |
| North Dakota | Grand Forks Air Force Base | Replace Family Housing (150 Units) | \$43,353,000 |

SEC. 2307. TEMPORARY PROHIBITION ON USE OF FUNDS FOR MILITARY CONSTRUCTION IMPROVEMENTS, PALANQUERO AIR BASE, COLOMBIA.

None of the funds authorized to be appropriated in section 2304(2) may be obligated or expended for runway and apron expansion or other military construction improvements at Palanquero Air Base, Colombia, until the Secretary of Defense, in consultation with the Secretary of State, certifies to the congressional defense committees that negotiations between the United States Government and the Government of Colombia have resulted in access rights that will permit United States Southern Command (SOUTHCOM) to perform adequately its mission.

SEC. 2308. CONVEYANCE TO INDIAN TRIBES OF CERTAIN HOUSING UNITS.

(a) DEFINITIONS.—In this section:
(1) EXECUTIVE DIRECTOR.—The term “Executive Director” means the Executive Director of Walking Shield, Inc.

(2) INDIAN TRIBE.—The term “Indian tribe” means any Indian tribe included on the list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C.479a–1).

(b) REQUESTS FOR CONVEYANCE.—
(1) IN GENERAL.—The Executive Director may submit to the Secretary of the Air Force, on behalf of any Indian tribe located in the State of Idaho, Nevada, North Dakota, Oregon, South Dakota, Montana, or Minnesota, a request for conveyance of any relocatable military housing unit located at Grand Forks Air Force Base, Minot Air Force Base, Malmstrom Air Force Base, Ellsworth Air Force Base, or Mountain Home Air Force Base.
(2) CONFLICTS.—The Executive Director shall resolve any conflict among requests of Indian tribes for housing units described in paragraph (1) before submitting a request to the Secretary of the Air Force under this subsection.

(c) CONVEYANCE BY SECRETARY.—Notwithstanding any other provision of law, on receipt of a request under subsection (c)(1), the Secretary of the Air Force may convey to the Indian tribe that is the subject of the request, at no cost to the Air Force and without consideration, any relocatable military housing unit described in subsection (c)(1) that, as determined by the Secretary, is in excess of the needs of the military.

TITLE XXIV—DEFENSE AGENCIES

Subtitle A—Defense Agency Authorizations

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Education Activity

| State | Installation or Location | Amount |
|----------------------|------------------------------------------|--------------|
| Georgia | Fort Benning | \$2,330,000 |
| | Fort Stewart/Hunter Army Air Field | \$22,501,000 |
| North Carolina | Fort Bragg | \$3,439,000 |

Defense Information Systems Agency

| State | Installation or Location | Amount |
|--------------|-----------------------------------------------|-------------|
| Hawaii | Naval Station Pearl Harbor, Ford Island | \$9,633,000 |

Defense Logistics Agency

| State | Installation or Location | Amount |
|------------------|---------------------------------------------------------------|--------------|
| California | El Centro | \$11,000,000 |
| | Point Loma Annex | \$55,000,000 |
| | Travis Air Force Base, California | \$15,357,000 |
| Florida | Jacksonville International Airport (Air National Guard) | \$11,500,000 |
| Minnesota | Duluth International Airport (Air National Guard) | \$15,000,000 |
| Oklahoma | Altus Air Force Base | \$2,700,000 |
| Texas | Fort Hood | \$3,000,000 |
| Washington | Fairchild Air Force Base | \$7,500,000 |

Missile Defense Agency

| State | Installation or Location | Amount |
|----------------|----------------------------------------|--------------|
| Alabama | Redstone Arsenal | \$12,000,000 |
| Virginia | Naval Support Facility, Dahlgren | \$24,500,000 |

National Security Agency

| State | Installation or Location | Amount |
|----------------|--------------------------|---------------|
| Maryland | Fort Meade | \$203,800,000 |

Special Operations Command

| State | Installation or Location | Amount |
|----------------------|-------------------------------------------|---------------|
| California | Naval Amphibious Base, Coronado | \$15,722,000 |
| Colorado | Fort Carson | \$48,246,000 |
| Florida | Eglin Air Force Base | \$3,046,000 |
| | Hurlburt Field | \$8,156,000 |
| Georgia | Fort Benning | \$3,046,000 |
| Kentucky | Fort Campbell | \$32,335,000 |
| New Mexico | Cannon Air Force Base | \$58,864,000 |
| North Carolina | Fort Bragg | \$101,488,000 |
| | Marine Corps Base, Camp Lejeune | \$11,791,000 |
| Virginia | Naval Amphibious Base, Little Creek | \$18,669,000 |
| Washington | Fort Lewis | \$14,500,000 |

TRICARE Management Activity

| State | Installation or Location | Amount |
|----------------------|------------------------------------------|---------------|
| Alaska | Elmendorf Air Force Base | \$25,017,000 |
| | Fort Richardson | \$3,518,000 |
| Colorado | Fort Carson | \$31,900,000 |
| Georgia | Fort Benning | \$17,200,000 |
| | Fort Stewart/Hunter Army Air Field | \$22,200,000 |
| Kentucky | Fort Campbell | \$8,600,000 |
| Maryland | Fort Detrick | \$29,807,000 |
| Missouri | Fort Leonard Wood | \$5,570,000 |
| North Carolina | Fort Bragg | \$57,658,000 |
| Oklahoma | Fort Sill | \$10,554,000 |
| Texas | Lackland Air Force Base | \$470,318,000 |
| | Fort Bliss | \$200,575,000 |
| Washington | Fort Lewis | \$15,636,000 |

Washington Headquarters Services

| State | Installation or Location | Amount |
|----------------|----------------------------|--------------|
| Virginia | Pentagon Reservation | \$27,672,000 |

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following tables:

Defense Education Agency

| Country | Installation or Location | Amount |
|----------------|----------------------------------|--------------|
| Belgium | Brussels | \$38,124,000 |
| Germany | Boeblingen | \$50,000,000 |
| | Kaiserslautern | \$93,545,000 |
| | Wiesbaden Air Base | \$5,379,000 |
| United Kingdom | Royal Air Force Lakenheath | \$4,509,000 |

Defense Intelligence Agency

| Country | Installation or Location | Amount |
|-------------|--------------------------|-------------|
| Korea | K-16 Airfield | \$5,050,000 |

Defense Logistics Agency

| Country | Installation or Location | Amount |
|----------------------|-----------------------------------------|--------------|
| Cuba | Naval Air Station, Guantanamo Bay | \$12,500,000 |
| Guam | Naval Air Station, Agana | \$4,900,000 |
| Korea | Osan Air Base | \$28,000,000 |
| United Kingdom | Royal Air Force Mildenhall | \$4,700,000 |

National Security Agency

| Country | Installation or Location | Amount |
|----------------------|--------------------------------------------|--------------|
| United Kingdom | Royal Air Force Menwith Hill Station | \$37,588,000 |

TRICARE Management Activity

| Country | Installation or Location | Amount |
|----------------------|---------------------------------|---------------|
| Guam | Naval Activities, Guam | \$446,450,000 |
| United Kingdom | Royal Air Force Alconbury | \$14,227,000 |

SEC. 2402. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(7), the Secretary of Defense may construct or acquire family housing units (including land acquisition and supporting facilities) at the installation, in the number of units, and in the amount set forth in the following table:

Defense Logistics Agency: Family Housing

| Location | Installation | Units | Amount |
|--------------------|------------------------|---------|-------------|
| Pennsylvania | Cumberland Depot | 6 | \$2,859,000 |

SEC. 2403. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(6), the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount of \$123,013,000.

SEC. 2404. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) in the total amount of \$3,290,025,000, as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), \$969,373,000.

(2) For military construction projects outside the United States authorized by section 2401(b), \$298,522,000.

(3) For unspecified minor military construction projects under section 2805 of title 10, United States Code, \$36,025,000.

(4) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, \$10,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$137,942,000.

(6) For energy conservation projects authorized by section 2403 of this Act, \$123,013,000.

(7) For military family housing functions:

(A) For support of military family housing (including functions described in section 2833 of title 10, United States Code), \$49,214,000.

(B) For construction and acquisition of military family housing and facilities, \$2,859,000.

(C) For the Homeowners Assistance Fund established under section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), \$373,225,000.

(D) For credit to the Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code, \$2,600,000.

(8) For the construction of increment 2 of replacement fuel storage facilities at Point Loma Annex, California, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 521), \$92,300,000.

(9) For the construction of increment 3 of a special operations facility at Dam Neck, Virginia, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 521), \$15,967,000.

(10) For the construction of increment 2 of the USAMRICD replacement facility at Aberdeen Proving Ground, Maryland, authorized by sec-

tion 2401(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4689), \$111,400,000.

(11) For the construction of increment 4 of the USAMRIID stage I facility at Fort Detrick, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2457), \$108,000,000.

(12) For the construction of fuel storage tanks and pipeline replacement at Souda Bay, Greece, authorized by section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4691), \$24,000,000.

(13) For the construction of the first increment of the hospital replacement, Guam, authorized by section 2401(b), \$200,000,000.

(14) For the construction of the first increment of the Ambulatory Care Center at Lackland Air Force Base, Texas, authorized by section 2401(a), \$72,610,000.

(15) For the construction of the first increment of the hospital replacement phase I at Fort Bliss, Texas, authorized by section 2401(a), \$62,975,000.

(16) For the construction of increment 2 of the Utah Data Center at Camp Williams, Utah, authorized in the Supplemental Appropriations Act, 2009 (Public Law 111–32), \$600,000,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(2) \$200,000,000 (the balance of the amount authorized by section 2401(b) for the hospital replacement, Guam).

(3) \$368,390,000 (the balance of the amount authorized by section 2401(a) for the Ambulatory Care Center at Lackland Air Force Base, Texas).

(4) \$820,000,000 (the balance of the amount authorized in the Supplemental Appropriations Act, 2009 (Public Law 111–32) for the Utah Data Center, Camp Williams, Utah).

(5) \$24,000,000 (the balance of the amount authorized by section 2401(a) for the hospital replacement phase I, Fort Bliss, Texas).

(6) \$290,000,000 (the balance of the amount authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4689) for the USAMRIID replacement facility at Aberdeen Proving Ground, Maryland).

(7) \$47,000,000 (the balance of the amount authorized by section 2401(a) of the Military Con-

struction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 521), as modified by section 2401(a) of this Act, for the replacement of fuel storage facilities at Point Loma Annex, California).

SEC. 2405. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2008 PROJECT.

(a) MODIFICATION.—The table relating to the Defense Logistics Agency in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 521) is amended in the item relating to Point Loma Annex, California, by striking “\$140,000,000” in the amount column and inserting “\$195,000,000”.

(b) CONFORMING AMENDMENT.—Section 2403(b)(2) of that Act (122 Stat. 524) is amended by striking “\$84,300,000” and inserting “\$139,300,000”.

SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2009 PROJECT.

(a) MODIFICATION.—The table relating to the Defense Logistics Agency in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4691) is amended in the item relating to Souda Bay, Greece, by striking “\$8,000,000” in the amount column and inserting “\$32,000,000”.

(b) CONFORMING AMENDMENTS.—Section 2403 of that Act (122 Stat. 4692) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “\$246,360,000” and inserting “\$238,360,000”; and

(B) by adding at the end the following new paragraph:

“(11) For construction of the first increment of fuel storage tanks and pipeline replacement at Souda Bay, Greece, \$8,000,000.”; and

(2) in subsection (b), by adding at the end the following new paragraph:

“(5) \$24,000,000 (the balance of the amount authorized for the Defense Logistics Agency under section 2401(b) for fuel storage tanks and pipeline replacement at Souda Bay, Greece).”.

SEC. 2407. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2007 PROJECT.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2463), authorizations set forth in the table in subsection (b), as provided in section 2402 of that Act, shall remain in effect until October 1, 2010, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Logistics Agency: Extension of 2007 Project Authorization

| State | Installation or Location | Project | Amount |
|----------------|---------------------------------------|------------------------------|-----------|
| Virginia | Defense Supply Center, Richmond | Whole House Renovation | \$484,000 |

Subtitle B—Chemical Demilitarization Authorizations**SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction and land acquisition for chemical demilitarization in the total amount of \$151,541,000, as follows:

(1) For the construction of phase 11 of a munitions demilitarization facility at Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), and section 2413 of the

Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), \$92,500,000.

(2) For the construction of phase 10 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 835), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year

2000 (division B of Public Law 106–65; 113 Stat. 835), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year

2002 (division B of Public Law 107–107; 115 Stat. 1298), section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), and section 2414 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), of \$59,041,000.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in

section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment

Program authorized by section 2501, in the amount of \$276,314,000.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(1)(A), the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard: Inside the United States

| State | Location | Amount |
|----------------------|----------------------------------------------------|--------------|
| Alabama | Fort McClellan | \$3,000,000 |
| Arizona | Camp Navajo | \$3,000,000 |
| California | Fresno Yosemite International Airport | \$9,900,000 |
| ..... | Los Alamitos | \$31,000,000 |
| Georgia | Fort Benning | \$15,500,000 |
| Iowa | Johnston | \$4,000,000 |
| Idaho | Gowen Field | \$16,100,000 |
| Illinois | Milan | \$5,600,000 |
| Indiana | Muscatatuck | \$10,100,000 |
| Kansas | Salina Army National Guard Aviation Facility | \$2,227,000 |
| Massachusetts | Hanscom Air Force Base | \$29,000,000 |
| Minnesota | Arden Hills | \$6,700,000 |
| ..... | Camp Ripley | \$1,710,000 |
| Missouri | Boonville | \$1,800,000 |
| Mississippi | Camp Shelby | \$16,100,000 |
| ..... | Monticello | \$14,350,000 |
| Nebraska | Lincoln | \$23,000,000 |
| New Mexico | Santa Fe | \$39,000,000 |
| Nevada | Carson City | \$2,000,000 |
| ..... | North Las Vegas | \$26,000,000 |
| Oregon | Clatsop County, Warrenton | \$3,369,000 |
| South Carolina | Eastover | \$26,000,000 |
| ..... | Greenville | \$40,000,000 |
| South Dakota | Camp Rapid | \$9,840,000 |
| Texas | Austin | \$22,200,000 |
| Virginia | Fort Pickett | \$32,000,000 |
| Vermont | Ethan Allen Firing Range | \$1,996,000 |
| West Virginia | St. Albans Armory, St. Albans | \$2,000,000 |

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(1)(A), the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations outside the United States, and in the amounts, set forth in the following table:

Army National Guard: Outside the United States

| Territory or Commonwealth | Location | Amount |
|---------------------------|-----------------|--------------|
| Guam | Barrigada | \$30,000,000 |
| Virgin Islands | St. Croix | \$20,000,000 |

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(1)(B), the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations, and in the amounts, set forth in the following table:

Army Reserve

| State | Location | Amount |
|--------------------|-----------------------------------|--------------|
| California | Camp Pendleton | \$19,500,000 |
| ..... | Los Angeles | \$29,000,000 |
| Colorado | Colorado Springs | \$13,000,000 |
| Connecticut | Bridgeport | \$18,500,000 |
| Florida | Panama City | \$7,300,000 |
| ..... | West Palm Beach | \$26,000,000 |
| Georgia | Atlanta (Winder) | \$14,000,000 |
| Illinois | Chicago (Joliet) | \$23,000,000 |
| Minnesota | Fort Snelling (Minneapolis) | \$12,000,000 |
| New York | Rochester | \$13,600,000 |
| Ohio | Cincinnati | \$13,000,000 |
| Pennsylvania | Ashley | \$9,800,000 |
| ..... | Harrisburg | \$7,600,000 |
| ..... | Newton Square | \$20,000,000 |
| ..... | Uniontown | \$11,800,000 |
| Texas | Austin | \$20,000,000 |
| ..... | Fort Bliss | \$9,500,000 |

Army Reserve—Continued

| <i>State</i> | <i>Location</i> | <i>Amount</i> |
|--------------------------|---------------------------------------------|---------------|
| | <i>Houston</i> | \$24,000,000 |
| | <i>San Antonio (Fort Sam Houston)</i> | \$20,000,000 |
| <i>Wisconsin</i> | <i>Fort McCoy</i> | \$28,850,000 |
| <i>Puerto Rico</i> | <i>Caguas</i> | \$12,400,000 |

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

| <i>State</i> | <i>Location</i> | <i>Amount</i> |
|-----------------------------|--------------------------------------------|---------------|
| <i>Arizona</i> | <i>Phoenix (Luke Air Force Base)</i> | \$10,986,000 |
| <i>California</i> | <i>Alameda</i> | \$5,960,000 |
| <i>Illinois</i> | <i>Joliet Army Ammunition Plant</i> | \$7,957,000 |
| <i>South Carolina</i> | <i>Charleston</i> | \$4,240,000 |
| <i>Virginia</i> | <i>Oceana Naval Air Station</i> | \$30,400,000 |
| <i>Texas</i> | <i>San Antonio</i> | \$2,210,000 |

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(3)(A), the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations, and in the amounts, set forth in the following table:

Air National Guard

| <i>State</i> | <i>Location</i> | <i>Amount</i> |
|-----------------------------|---------------------------------------------------------|---------------|
| <i>Arizona</i> | <i>Davis Monthan Air Force Base</i> | \$5,600,000 |
| <i>California</i> | <i>Southern California Logistics Airport</i> | \$8,400,000 |
| <i>Colorado</i> | <i>Buckley Air National Guard Base</i> | \$4,500,000 |
| <i>Connecticut</i> | <i>Bradley National Airport</i> | \$9,100,000 |
| <i>Hawaii</i> | <i>Hickam Air Force Base</i> | \$33,000,000 |
| <i>Iowa</i> | <i>Des Moines</i> | \$4,600,000 |
| <i>Massachusetts</i> | <i>Otis Air National Guard Base</i> | \$12,800,000 |
| <i>Maryland</i> | <i>Andrews Air Force Base</i> | \$14,000,000 |
| <i>Maine</i> | <i>Bangor International Airport</i> | \$28,000,000 |
| <i>Michigan</i> | <i>Alpena</i> | \$8,900,000 |
| | <i>Battle Creek Air National Guard Base</i> | \$14,000,000 |
| | <i>Selfridge Air National Guard Base</i> | \$7,100,000 |
| <i>Minnesota</i> | <i>Minnesota/Saint Paul International Airport</i> | \$1,900,000 |
| <i>Missouri</i> | <i>Rosecrans Memorial Airport</i> | \$9,300,000 |
| <i>Mississippi</i> | <i>Columbus Air Force Base</i> | \$10,000,000 |
| <i>Montana</i> | <i>Malmstrom Air Force Base</i> | \$9,600,000 |
| <i>Nebraska</i> | <i>Lincoln</i> | \$1,500,000 |
| <i>New Hampshire</i> | <i>Pease Air National Guard Base</i> | \$10,000,000 |
| <i>New Jersey</i> | <i>McGuire, Air Force Base</i> | \$9,700,000 |
| <i>Nevada</i> | <i>Reno</i> | \$10,800,000 |
| <i>Ohio</i> | <i>Mansfield Lahm Airport</i> | \$11,400,000 |
| <i>Oklahoma</i> | <i>Will Rogers World Airport</i> | \$7,300,000 |
| <i>South Carolina</i> | <i>McEntire Joint National Guard Base</i> | \$1,300,000 |
| <i>South Dakota</i> | <i>Joe Foss Field</i> | \$2,600,000 |
| <i>Tennessee</i> | <i>164th Airlift Wing, Memphis</i> | \$9,800,000 |
| <i>Utah</i> | <i>Hill Air Force Base</i> | \$5,100,000 |
| <i>Vermont</i> | <i>Burlington International Airport</i> | \$6,000,000 |
| <i>Wisconsin</i> | <i>General Mitchell International Airport</i> | \$5,000,000 |
| <i>West Virginia</i> | <i>Martinsburg</i> | \$19,500,000 |
| <i>Wyoming</i> | <i>Cheyenne Airport</i> | \$1,500,000 |

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(3)(B), the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations, and in the amounts, set forth in the following table:

Air Force Reserve

| <i>State</i> | <i>Location</i> | <i>Amount</i> |
|---------------------------|--------------------------------------------|---------------|
| <i>Colorado</i> | <i>Schriever Air Force Base</i> | \$10,200,000 |
| <i>Mississippi</i> | <i>Keesler Air Force Base</i> | \$9,800,000 |
| <i>New York</i> | <i>Niagra Falls Air Reserve Base</i> | \$5,700,000 |
| <i>Pennsylvania</i> | <i>Pittsburgh Air Reserve Base</i> | \$12,400,000 |
| <i>Texas</i> | <i>Lackland Air Force Base</i> | \$1,500,000 |
| <i>Utah</i> | <i>Hill Air Force Base</i> | \$3,200,000 |

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for the costs of acquisition, ar-

chitectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (in-

cluding the cost of acquisition of land for those facilities), in the following amounts:

(1) For the Department of the Army—
(A) for the Army National Guard of the United States, \$481,773,000; and
(B) for the Army Reserve, \$378,712,000.
(2) For the Department of the Navy, for the Navy and Marine Corps Reserve, \$64,124,000.
(3) For the Department of the Air Force—
(A) for the Air National Guard of the United States, \$301,361,000; and

(B) for the Air Force Reserve, \$45,576,000.
SEC. 2607. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2007 PROJECTS.
(a) **EXTENSION.**—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2463), the authorizations set forth in the table in subsection (b), as provided

in section 2601 of that Act, shall remain in effect until October 1, 2010, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

Army National Guard: Extension of 2007 Project Authorizations

| State | Installation or Location | Project | Amount |
|------------------|--------------------------|--------------------------------------------------|--------------|
| California | Fresno | AVCRAD Add/Alt, PH I | \$30,000,000 |
| New Jersey | Lakehurst | Consolidated Logistics Training Facility, PH II. | \$20,024,000 |

SEC. 2608. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2006 PROJECT.

(a) **EXTENSION.**—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3501), authorizations set forth in the table in subsection (b), as provided in section 2601 of that Act, shall remain in effect until October 1, 2010, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

Army National Guard: Extension of 2006 Project Authorizations

| State | Installation or Location | Project | Amount |
|---------------|--------------------------|----------------------------------------|-------------|
| Montana | Townsend | Automated Qualification Training Range | \$2,532,000 |

TITLE XXVII—BASE CLOSURE AND REALIGNMENT ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE CLOSURE AND REALIGNMENT ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for base closure and realignment activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act, in the total amount of \$396,768,000.

SEC. 2702. AUTHORIZED BASE CLOSURE AND REALIGNMENT ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

Using amounts appropriated pursuant to the authorization of appropriations in section 2703, the Secretary of Defense may carry out base closure and realignment activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, in the amount of \$5,934,740,000.

SEC. 2703. AUTHORIZATION OF APPROPRIATIONS FOR BASE CLOSURE AND REALIGNMENT ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for base closure and realignment activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, in the total amount of \$7,479,498,000.

SEC. 2704. REPORT ON GLOBAL DEFENSE POSTURE REALIGNMENT AND INTER-AGENCY REVIEW.

(a) **INTERAGENCY REVIEW OF OVERSEAS MASTER PLANS.**—At the same time that the budget is submitted under section 1105(a) of title 31, United States Code, for a fiscal year, the Secretary of Defense shall submit to the congressional defense committees and the Committee on Foreign relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the status of overseas base closure and realignment actions undertaken as part of a global defense posture realignment strategy and the status of development and execution of comprehensive master plans for overseas military main operating bases, forward operating sites, and cooperative security locations. The report shall address the following:

(1) How the plans would support the security commitments undertaken by the United States pursuant to any international security treaty, including, the North Atlantic Treaty, The Treaty of Mutual Cooperation and Security between the United States and Japan, and the Security Treaty Between Australia, New Zealand, and the United States of America.

(2) The impact of such plans on the current security environments in the combatant commands, including United States participation in theater security cooperation activities and bilateral partnership, exchanges, and training exercises.

(3) Any comments of the Secretary of Defense resulting from an interagency review of these plans that includes the Department of State and other Federal departments and agencies that the Secretary of Defense deems necessary for national security.

(b) **INTERAGENCY OVERSEAS BASING REPORT.**—Section 118 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(h) **INTERAGENCY OVERSEAS BASING REPORT.**—Not later than 90 days after submitting a report on a quadrennial defense review under subsection (d), the Secretary shall submit to the congressional defense committees a report detailing how the results of the assessment conducted as part of such review will impact the status of overseas base closure and realignment actions undertaken as part of a global defense posture realignment strategy and the status of development and execution of comprehensive master plans for overseas military main operating

bases, forward operating sites, and cooperative security locations of the global defense posture of the United States. The report shall include any recommendations for additional closures or realignments of military installations outside of the United States. The report shall include any comments resulting from an interagency review of these plans that includes the Department of State and other relevant Federal departments and agencies.”.

SEC. 2705. SENSE OF THE SENATE ON NEED FOR COMMUNITY ASSISTANCE RELATED TO BASE CLOSURES AND REALIGNMENTS AND FORCE REPOSITIONING.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) The 2005 round of defense base closures and realignments (BRAC) has resulted in a requirement to dispose of excess Federal property in addition to property determined to be excess as the result of decisions in four previous rounds of base realignments and closures in 1988, 1991, 1993, and 1995.

(2) The Department of Defense has primary responsibility to dispose of Federal property resulting from the closure or realignment of military installations under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(3) The Department of Defense is authorized to dispose of BRAC property using a range of methods including administrative transfer to another Federal agency, public benefit conveyances, homeless housing assistance, economic development conveyances, negotiated sales, or public sales.

(4) The Department of Defense is authorized to convey property to local redevelopment agencies representing communities affected by base closures and realignments for the purpose of economic development.

(5) The Department of Defense is authorized to assess the needs of the local community and the intended use of the property in determining the amount of compensation to be received in exchange for the economic development conveyance.

(6) The Department of Defense is authorized to receive an amount for the economic development conveyance that may range

from fair market value to an amount less than fair market, to no cost to the conveyee, depending on the local economic conditions.

(7) The Department of Defense is required to use any monetary proceeds gained from the disposal of BRAC property to fund environmental clean-up, remediation, and compliance actions required to safely dispose of BRAC property.

(8) Any revenue foregone as a result of a decision not to seek fair market value for disposed property must be compensated with appropriated funds requested by the Department of Defense in annual budget submissions to Congress.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that, as the Federal Government implements base closures and realignments, global repositioning, and grow the force initiatives, it is necessary—

(1) to assist local communities coping with the impact of these programs at both closed and active military installations; and

(2) to comprehensively assess the needs and degree of Federal assistance to communities to effectively implement the various initiatives of the Department of Defense while aiding communities to either recover quickly from closures or to accommodate growth associated with troop influxes.

SEC. 2706. RELOCATION OF CERTAIN ARMY RESERVE UNITS IN CONNECTICUT.

The Secretary of the Army may use funds appropriated pursuant to the authorization of appropriations in section 2703 for the purpose of constructing an Army Reserve Center and Maintenance Facility in the vicinity of Newtown, Connecticut, at a location determined by the Secretary to be in the best interest of national security and in the public interest.

SEC. 2707. AUTHORITY TO CONSTRUCT PREVIOUSLY AUTHORIZED ARMED FORCES RESERVE CENTER IN VICINITY OF SPECIFIED LOCATION AT PEASE AIR NATIONAL GUARD BASE, NEW HAMPSHIRE.

The Secretary of the Army may use funds appropriated pursuant to the authorization of appropriations in section 2703 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4715) for the purpose of constructing an Armed

Forces Reserve Center at Pease Air National Guard Base, New Hampshire, to construct instead an Armed Forces Reserve Center in the vicinity of Pease Air National Guard Base at a location determined by the Secretary to be in the best interest of national security and in the public interest.

SEC. 2708. REQUIREMENT FOR MASTER PLAN TO PROVIDE WORLD CLASS MILITARY MEDICAL FACILITIES IN THE NATIONAL CAPITAL REGION.

(a) **MASTER PLAN REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and implement a comprehensive master plan to provide world class military medical facilities and an integrated system of health care delivery for the National Capital Region that—

(1) addresses—

(A) the unique needs of members of the Armed Forces and retired members of the Armed Forces and their families;

(B) the care, management, and transition of seriously ill and injured members of the Armed Forces and their families;

(C) the missions of the branch or branches of the Armed Forces served; and

(D) performance expectations for the future integrated health care delivery system, including—

(i) information management and information technology support; and

(ii) expansion of support services;

(2) includes the establishment of an integrated process for the joint development of budgets, prioritization of requirements, and the allocation of funds;

(3) designates a single entity within the Department of Defense with the budget and operational authority to respond quickly to and address emerging facility and operational requirements required to provide and operate world class military medical facilities in the National Capital Region;

(4) incorporates all ancillary and support facilities at the National Naval Medical Center, Bethesda, Maryland, including education and research facilities as well as centers of excellence, transportation, and parking structures required to provide a full range of adequate care

and services for members of the Armed Forces and their families;

(5) ensures that each facility covered by the plan meets or exceeds Joint Commission hospital design standards as applicable; and

(6) can be used as a model to develop similar master plans for all military medical facilities within the Department of Defense.

(b) **MILESTONE SCHEDULE AND COST ESTIMATES.**—Not later than 90 days after the development of the master plan required by (a), the Secretary shall submit to the congressional defense committees a report describing—

(1) the schedule for completion of requirements identified in the master plan; and

(2) updated cost estimates to provide world class military medical facilities for the National Capital Region.

(c) **DEFINITIONS.**—In this section:

(1) **NATIONAL CAPITAL REGION.**—The term “National Capital Region” has the meaning given the term in section 2674(f) of title 10, United States Code.

(2) **WORLD CLASS MILITARY MEDICAL FACILITY.**—The term “world class military medical facility” has the meaning given the term by the National Capital Region Base Realignment and Closure Health Systems Advisory Subcommittee of the Defense Health Board in appendix B of the report entitled “Achieving World Class – An Independent Review of the Design Plans for the Walter Reed National Military Medical Center and the Fort Belvoir Community Hospital”, published in May, 2009.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

SEC. 2801. MILITARY CONSTRUCTION AND LAND ACQUISITION PROJECTS AUTHORIZED BY AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

(a) **AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**—Using amounts appropriated by title X of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 191), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

| State | Installation or Location | Amount |
|----------------------|-------------------------------------------|--------------|
| Colorado | Fort Carson | \$12,500,000 |
| Georgia | Fort Stewart (Hunter Army Airfield) | \$8,600,000 |
| Kentucky | Fort Campbell | \$43,000,000 |
| North Carolina | Fort Bragg | \$11,300,000 |
| New York | Fort Drum | \$10,700,000 |
| Texas | Fort Bliss | \$57,000,000 |
| ..... | Fort Hood | \$12,700,000 |
| Virginia | Fort Belvoir | \$14,600,000 |
| ..... | Fort Eustis | \$9,600,000 |

(b) **AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**—Using amounts appropriated by title X of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 191), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

| State | Installation or Location | Amount |
|----------------------|----------------------------------------------|--------------|
| California | Marine Corps Base Camp Pendleton | \$35,052,000 |
| ..... | Naval Air Station Lemoore | \$7,793,000 |
| ..... | Naval Base Coronado | \$88,576,000 |
| ..... | Naval Base Point Loma | \$11,844,000 |
| Florida | Naval Station Mayport | \$10,220,000 |
| Hawaii | Marine Corps Base Hawaii | \$19,360,000 |
| Maryland | Naval Support Activity Annapolis | \$1,994,000 |
| ..... | Naval Surface Warfare Center Carderock | \$1,253,000 |
| North Carolina | Marine Corps Air Station New River | \$3,039,000 |
| ..... | Marine Corps Base Camp Lejeune | \$13,779,000 |
| Tennessee | Naval Support Activity Mid-South | \$11,960,000 |
| Virginia | Hampton Roads | \$26,098,000 |

Navy: Inside the United States—Continued

| <i>State</i> | <i>Installation or Location</i> | <i>Amount</i> |
|------------------|----------------------------------------|---------------|
| Washington | Naval Station Norfolk | \$24,647,000 |
| Various | Naval Air Station Whidbey Island | \$20,054,000 |
| | Various Locations | \$4,331,000 |

(c) **AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**—Using amounts appropriated by title X of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 191), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

| <i>State</i> | <i>Installation or Location</i> | <i>Amount</i> |
|----------------------|----------------------------------------------|---------------|
| Alaska | Eielson Air Force Base | \$53,900,000 |
| Alabama | Birmingham | \$2,300,000 |
| Arkansas | Fort Smith | \$7,800,000 |
| Colorado | Peterson Air Force Base | \$11,200,000 |
| Florida | Hurlburt Field | \$11,000,000 |
| Georgia | Moody Air Force Base | \$11,400,000 |
| Iowa | Des Moines | \$6,000,000 |
| Kansas | Forbes | \$4,100,000 |
| Maryland | Andrews Air Force Base | \$8,000,000 |
| Mississippi | Keesler Air Force Base | \$20,800,000 |
| Montana | Malmstrom Air Force Base | \$26,200,000 |
| North Dakota | Minot Air Force Base | \$28,300,000 |
| New Jersey | Atlantic City | \$4,300,000 |
| New Mexico | Cannon Air Force Base | \$12,000,000 |
| Nevada | Nellis Air Force Base | \$13,400,000 |
| Pennsylvania | Fort Indian Town Gap | \$7,000,000 |
| South Carolina | Shaw Air Force Base | \$22,500,000 |
| Texas | Goodfellow Air Force Base | \$28,400,000 |
| | Lackland Air Force Base | \$6,000,000 |
| Utah | Hill Air Force Base | \$15,000,000 |
| | Salt Lake City | \$5,100,000 |
| Wisconsin | General Mitchell | \$1,100,000 |
| West Virginia | Eastern West Virginia Regional Airport | \$4,300,000 |

(d) **AUTHORIZED DEFENSE-WIDE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**—Using amounts appropriated by title X of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 191), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense-wide: Inside the United States

| <i>State</i> | <i>Installation or Location</i> | <i>Amount</i> |
|------------------|--------------------------------------|---------------|
| California | Camp Pendleton | \$563,100,000 |
| Florida | Naval Air Station Jacksonville | \$27,210,000 |
| Texas | Fort Hood | \$621,000,000 |
| Various | Various Locations | \$118,690,000 |

(e) **AUTHORIZED ARMY NATIONAL GUARD AND RESERVE PROJECTS.**—

(1) **AUTHORIZED CONSTRUCTION AND LAND ACQUISITION PROJECTS.**—Using amounts appropriated by title X of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 191), the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard and Army Reserve locations, and in the amounts, set forth in the following table:

Army National Guard and Reserve: Inside the United States

| <i>State</i> | <i>Installation or Location</i> | <i>Amount</i> |
|----------------------|---------------------------------|---------------|
| California | Mather Air Field | \$1,500,000 |
| Nevada | Hawthorne Army Depot | \$950,000 |
| North Carolina | Raleigh | \$39,500,000 |
| Nebraska | Camp Ashland | \$2,900,000 |
| New York | Brooklyn (Fort Hamilton) | \$1,500,000 |
| Oregon | Camp Withycombe | \$1,300,000 |
| West Virginia | Gassaway | \$3,300,000 |

(2) **AUTHORIZED FAMILY HOUSING.**—Using amounts appropriated by title X of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 191), the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the Army National Guard and Army Reserve locations, in the number of units, and in the amounts, set forth in the following table:

Army National Guard and Reserve: Family Housing

| <i>State</i> | <i>Installation or Location</i> | <i>Units</i> | <i>Amount</i> |
|--------------------|---------------------------------|--------------|---------------|
| California | Fort Hunter-Liggett | 5 | \$2,370,000 |
| | Sierra Army Depot | 1 | \$707,000 |
| Illinois | Rock Island | 2 | \$930,000 |
| Oklahoma | McAlester Army Depot | 6 | \$2,200,000 |
| Pennsylvania | Letterkenny Army Depot | 3 | \$1,050,000 |
| | Tobyhanna | 2 | \$1,000,000 |

Army National Guard and Reserve: Family Housing—Continued

| State | Installation or Location | Units | Amount |
|-----------------|-------------------------------------|----------|--------------|
| Utah | Dugway Proving Grounds | 20 | \$10,000,000 |
| Virginia | Radford Army Ammunition Plant | 4 | \$1,300,000 |
| Wisconsin | Fort McCoy | 23 | \$14,000,000 |

Subtitle A—Military Construction Program and Military Family Housing Changes**SEC. 2811. EXTENSION OF AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS INSIDE THE UNITED STATES CENTRAL COMMAND AND UNITED STATES AFRICA COMMAND AREAS OF RESPONSIBILITY.**

Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1723), as amended by section 2810 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2128), section 2809 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3508), section 2802 of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2466), section 2801 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 538), and section 2806 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4724) is further amended—

(1) in subsection (a), by striking “2009” and inserting “2010”; and

(2) in subsection (c)(2), by inserting “or fiscal year 2010” after “fiscal year 2009”.

SEC. 2812. MODIFICATION OF AUTHORITY FOR SCOPE OF WORK VARIATIONS.

Section 2853 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “Except as provided in subsection (c)” and inserting “(1) Except as provided in subsection (c)”;

(B) by striking “may be reduced by not more than 25 percent from the amount approved for that project, construction, improvement, or acquisition by Congress.” and inserting “may be reduced by not more than 25 percent from the amount specified for that project, construction, improvement, or acquisition in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.”; and

(C) by adding at the end the following new paragraph:

“(2) The scope of work for a military construction project or for the construction, improvement, and acquisition of a military family housing project may not be increased above the amount specified for that project, construction, improvement, or acquisition in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.”; and

(2) in subsection (c), by striking “limitation on scope reduction in subsection (b)” and inserting “limitation on scope reduction in subsection (b)(1)”.

SEC. 2813. MODIFICATION OF CONVEYANCE AUTHORITY AT MILITARY INSTALLATIONS.

(a) LIMITED PURPOSES FOR WHICH REAL PROPERTY MAY BE CONVEYED.—Section 2869 of title 10, United States Code, is amended—

(1) in the section heading, by striking “TO SUPPORT MILITARY CONSTRUCTION OR LIMIT ENCROACHMENT” and inserting “TO LIMIT ENCROACHMENT”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “agrees, in exchange for the real property—” and all that follows through “to carry out a military construction project or

land acquisition” and inserting “agrees, in exchange for the real property, to carry out a land acquisition”;

(ii) by striking “; or” and inserting a period; and

(iii) by striking subparagraph (B); and

(B) by striking paragraph (3);

(3) in subsection (b), by striking “fair market value of the military construction, military family housing, or military unaccompanied housing” both places it appears and inserting “fair market value of the land”;

(4) by amending subsection (c) to read as follows:

“(c) LIMITATION ON USE OF CONVEYANCE AUTHORITY AT INSTALLATIONS CLOSED UNDER BASE CLOSURE LAWS.—The authority under subsection (a)(2)(A) to convey property located on a military installation may only be used to the extent the conveyance is consistent with an approved redevelopment plan for such installation.”; and

(5) in subsection (d)(2)(A), by striking “military construction project, land acquisition, military family housing, or military unaccompanied housing” both places it appears and inserting “land acquisition”.

(b) REQUIREMENT TO DEPOSIT FUNDS IN FOREIGN CURRENCY FLUCTUATIONS, CONSTRUCTION, DEFENSE ACCOUNT.—Subsection (e) of such section is amended by striking “(1) Except as provided in paragraph (2), the Secretary concerned may deposit funds” and all that follows through “funds deposited under paragraph (2) shall be available” in paragraph (3) and inserting “The Secretary concerned shall deposit funds received under subsection (b) in the appropriation ‘Foreign Currency Fluctuations, Construction, Defense’. The funds deposited shall be available”.

(c) ELIMINATION OF ANNUAL REPORT REQUIREMENT; SUNSET.—Subsection (f) of such section is amended to read as follows:

“(f) SUNSET.—The authority to enter into an agreement under this section shall expire on September 30, 2013.”

(d) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 169 of such title is amended to read as follows:

“2869. Conveyance of property at military installations to limit encroachment.”.

SEC. 2814. TWO-YEAR EXTENSION OF AUTHORITY FOR PILOT PROJECTS FOR ACQUISITION OR CONSTRUCTION OF MILITARY UNACCOMPANIED HOUSING.

Section 2881a of title 10, United States Code, is amended by striking “2009” and inserting “2011”.

Subtitle B—Energy Security**SEC. 2821. REPORT ON DEPARTMENT OF DEFENSE EFFORTS TOWARD INSTALLATION OF SOLAR PANELS AND OTHER RENEWABLE ENERGY PROJECTS ON MILITARY INSTALLATIONS.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that describes and assesses current Department of Defense efforts toward the installation of solar panels and other renewable energy projects on military installations and facilities.

(b) ELEMENTS.—The report required by subsection (a) shall set forth the following:

(1) A description and assessment of the status of current Department efforts toward the installation of solar panels and other renewable energy projects on military installations and facilities.

(2) A description of any legislative, administrative, or other impediments to such efforts.

(3) Such recommendations for legislative or administrative action as the Secretary considers appropriate for purposes of—

(A) furthering such efforts; and

(B) achieving the renewable energy goals of the Department by 2025.

(4) Such other matters as the Secretary considers appropriate.

Subtitle C—Land Conveyances**SEC. 2831. LAND CONVEYANCE, NAVAL AIR STATION OCEANA, VIRGINIA.**

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the City of Virginia Beach, Virginia (in this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 2.4 acres at Naval Air Station, Oceana, Virginia, for the purpose of permitting the City to expand services to support the Marine Animal Care Center.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall provide compensation to the Secretary of the Navy in an amount equal to the fair market value of the real property conveyed under such subsection, as determined by appraisals acceptable to the Secretary.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be exchanged under this section shall be determined by surveys satisfactory to the Secretary.

(d) PAYMENT OF COSTS OF CONVEYANCES.—

(1) PAYMENT REQUIRED.—The Secretary shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under this section shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2832. RELEASE OF REVERSIONARY INTEREST.

The United States releases to the State of Arkansas the reversionary interest described in sections 2 and 3 of the Act entitled “An Act authorizing the transfer of part of Camp Joseph T. Robinson to the State of Arkansas”, approved

June 30, 1950 (64 Stat. 311, chapter 429), in and to the surface estate of the land constituting Camp Joseph T. Robinson, Arkansas, which is comprised of 40.515 acres of land to be acquired by the United States of America and 40.513 acres to be acquired by the City of North Little Rock, Arkansas, and lies in sections 6, 8, and 9 of township 2 North, Range 12 West, Pulaski County, Arkansas.

SEC. 2833. LAND CONVEYANCE, ELLSWORTH AIR FORCE BASE, SOUTH DAKOTA.

(a) CHANGE IN RECIPIENT UNDER EXISTING AUTHORITY.—

(1) IN GENERAL.—Section 2863(a) of the Military Construction Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 2010), as amended by section 2865(a) of the Military Construction Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–435), is further amended by striking “West River Foundation for Economic and Community Development, Sturgis, South Dakota (in this section referred to as the ‘Foundation’)” and inserting “South Dakota Ellsworth Development Authority, Pierre, South Dakota (in this section referred to as the ‘Authority’)”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2863 of the Military Construction Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 2010), as amended by section 2865(b) of the Military Construction Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–435), is further amended—

(A) by striking “Foundation” each place it appears in subsections (c) and (e) and inserting “Authority”;

(B) in subsection (b)(1)—

(i) in subparagraph (B), by striking “137.56 acres” and inserting “120.70 acres”; and

(ii) by striking subparagraphs (C), (D), and (E).

(b) NEW CONVEYANCE AUTHORITY.—

(1) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the South Dakota Ellsworth Development Authority, Pierre, South Dakota (in this subsection referred to as the “Authority”), all right, title, and interest of the United States in and to the parcels of real property located at Ellsworth Air Force Base, South Dakota, referred to in paragraph (2).

(2) COVERED PROPERTY.—The real property referred to in paragraph (1) is the following:

(A) A parcel of real property, together with any improvements thereon, consisting of approximately 2.37 acres and comprising the 11000 West Communications Annex.

(B) A parcel of real property, together with any improvements thereon, consisting of approximately 6.643 acres and comprising the South Nike Education Annex.

(3) CONDITION.—As a condition of the conveyance under this subsection, the Authority, and any person or entity to which the Authority transfers the property, shall comply in the use of the property with the applicable provisions of the Ellsworth Air Force Base Air Installation Compatible Use Zone Study.

(4) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under paragraph (1) is not being used in compliance with the applicable provisions of the Ellsworth Air Force Base Air Installation Compatible Use Zone Study, all right, title, and interest in and to such real property, including any improvements and appurtenant easements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this paragraph shall be made on the record after an opportunity for a hearing.

(5) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under this subsection shall be determined by a survey satisfactory to the Secretary.

(6) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this subsection as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2834. LAND CONVEYANCE, F.E. WARREN AIR FORCE BASE, CHEYENNE, WYOMING.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey to the County of Laramie, Wyoming (in this section referred to as the “County”) all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon and appurtenant easements thereto, consisting of approximately 73 acres along the southeastern boundary of F.E. Warren Air Force Base, Cheyenne, Wyoming, for the purpose of removing the property from the boundaries of the installation and permitting the County to preserve the entire property for healthcare facilities.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the County shall provide the United States consideration, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof, in an amount that is not less than the fair market value of the conveyed real property, as determined by the Secretary.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the County under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure relating to the security of F.E. Warren Air Force Base, that the Secretary considers acceptable.

(3) RELATION TO OTHER LAWS.—Sections 2662 and 2802 of title 10, United States Code, shall not apply to any new facilities or infrastructure received by the United States as in-kind consideration under paragraph (2).

(4) NOTICE TO CONGRESS.—The Secretary shall provide written notification to the congressional defense committees of the types and value of consideration provided the United States under paragraph (1).

(5) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash payment received by the United States under paragraph (1) shall be deposited in the special account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B)(ii) of such subsection.

(c) REVERSIONARY INTEREST.—

(1) IN GENERAL.—If the Secretary determines at any time that the County is not using the property conveyed under subsection (a) in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property, including any improvements thereon, shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(2) RELEASE OF REVERSIONARY INTEREST.—The Secretary shall release, without consideration, the reversionary interest retained by the United States under paragraph (1) if—

(A) F.E. Warren Air Force Base, Cheyenne, Wyoming, is no longer being used for Department of Defense activities; or

(B) the Secretary determines that the reversionary interest is otherwise unnecessary to protect the interests of the United States.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the County to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a) and implement the receipt of in-kind consideration under

paragraph (b), including survey costs, appraisal costs, costs related to environmental documentation, and other administrative costs related to the conveyance and receipt of in-kind consideration. If amounts are received from the County in advance of the Secretary incurring the actual costs, and the amount received exceeds the costs actually incurred by the Secretary under this section, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance and implementing the receipt of in-kind consideration. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF REAL PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2835. LAND CONVEYANCE, LACKLAND AIR FORCE BASE, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey to an eligible entity, all right, title, and interest of the United States to not more than 250 acres of real property and associated easements and improvements on Lackland Air Force Base, Texas, in exchange for real property adjacent to or near the installation for the purpose of relocating and consolidating Air Force tenants located on the former Kelly Air Force Base, Texas, onto the main portion of Lackland Air Force Base.

(b) CONDITION OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to the condition that the eligible entity accept the real property in its condition at the time of the conveyance, commonly known as conveyance “as is” and not subject to the requirements for covenants in deed under section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

(c) ELIGIBLE ENTITIES.—A conveyance under this section may be made to the City of San Antonio, Texas, or an organization or agency chartered or sponsored by the local or State government.

(d) CONSIDERATION.—As consideration for the conveyance under subsection (a), the eligible entity shall provide the Air Force with real property or real property improvements, or a combination of both, of equal value, as determined by the Secretary. If the fair market value of the real property or real property improvements, or combination thereof, is less than the fair market value of the real property to be conveyed by the Air Force, the eligible entity shall provide cash payment to the Air Force, or provide Lackland Air Force Base with in-kind consideration of an amount equal to the difference in the fair market values. Any cash payment received by the Air Force for the conveyance authorized by subsection (a) shall be deposited in the special account described in section 2667(e) of title 10, United States Code, and shall be available to the Secretary for the same uses and subject to the same limitations as provided in that section.

(e) PAYMENT OF COSTS OF CONVEYANCE.—

(1) IN GENERAL.—The Secretary may require the eligible entity to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyances under this section, including

survey costs, costs related to environmental documentation, and other administrative costs related to the conveyances. If amounts are collected from the eligible entity in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the eligible entity.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyances. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(f) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(g) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2836. LAND CONVEYANCE, HAINES TANK FARM, HAINES, ALASKA.

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Army may convey to the Chilkoot Indian Association (in this section referred to as the “Association”) all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 201 acres located at the former Haines Fuel Terminal (also known as the Haines Tank Farm) in Haines, Alaska, for the purpose of permitting the Association to develop a Deep Sea Port and for other industrial and commercial development purposes. To the extent practicable, the Secretary is encouraged to complete the conveyance by September 30, 2013, but not prior to the date of completion of all obligations referenced in subsection (e).

(b) **CONSIDERATION.**—As consideration for the conveyance under subsection (a), the Association shall pay to the Secretary an amount equal to the fair market value of the property, as determined by the Secretary. The determination of the Secretary shall be final.

(c) **REVERSIONARY INTEREST.**—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance, all right, title, and interest in and to such real property, including any improvements and appurtenant easements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(d) **PAYMENT OF COSTS OF CONVEYANCES.**—

(1) **PAYMENT REQUIRED.**—The Secretary shall require the Association to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the Association in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Association.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the con-

veyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) **SAVINGS PROVISION.**—The Haines Tank Farm is currently under a remedial investigation (RI) for petroleum, oil and lubricants contamination. Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the National Environmental Policy Act (42 U.S.C. 4321 et seq.), the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(f) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property to be conveyed under this section shall be determined by a survey satisfactory to the Secretary.

(g) **ADDITIONAL TERM AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2837. LAND CONVEYANCES OF CERTAIN PARCELS IN THE CAMP CATLIN AND OHANA NUI AREAS, PEARL HARBOR, HAWAII.

(a) **CONVEYANCES AUTHORIZED.**—The Secretary of the Navy (“the Secretary”) may convey to any person or entity leasing or licensing real property located at Camp Catlin and Ohana Nui areas, Hawaii, as of the date of the enactment of this Act (“the lessee”) all right, title, and interest of the United States in and to the portion of such property that is respectively leased or licensed by such person or entity for the purpose of continuing the same functions as are being conducted on the property as of the date of the enactment of this Act.

(b) **CONSIDERATION.**—As consideration for a conveyance under subsection (a), the lessee shall provide the United States, whether by cash payment, in-kind consideration, or a combination thereof, an amount that is not less than the fair market of the conveyed property, as determined pursuant to an appraisal acceptable to the Secretary.

(c) **EXERCISE OF RIGHT TO PURCHASE PROPERTY.**—

(1) **ACCEPTANCE OF OFFER.**—For a period of 180 days beginning on the date the Secretary makes a written offer to convey the property or any portion thereof under subsection (a), the lessee shall have the exclusive right to accept such offer by providing written notice of acceptance to the Secretary within the specified 180-day time period. If the Secretary’s offer is not so accepted within the 180-day period, the offer shall expire.

(2) **CONVEYANCE DEADLINE.**—If a lessee accepts the offer to convey the property or a portion thereof in accordance with paragraph (1), the conveyance shall take place not later than 2 years after the date of the lessee’s written acceptance, provided that the conveyance date may be extended for a reasonable period of time by mutual agreement of the parties, evidenced by a written instrument executed by the parties prior to the end of the 2-year period. If the lessee’s lease or license term expires before the conveyance is completed, the Secretary may extend the lease or license term up to the date of conveyance, provided that the lessee shall be required to pay for such extended term at the rate in effect at the time it was declared excess property.

(d) **PAYMENT OF COSTS OF CONVEYANCES.**—

(1) **PAYMENT REQUIRED.**—The Secretary shall require the lessee to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out a conveyance under subsection (a), including survey costs, related to the conveyance. If amounts

are collected from the lessee in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the lessee.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out a conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of any real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) **ADDITIONAL TERM AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with a conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Subtitle D—Other Matters

SEC. 2841. EXPANSION OF FIRST SERGEANTS BARRACKS INITIATIVE.

(a) **EXPANSION OF INITIATIVE.**—Not later than September 30, 2011, the Secretary of the Army shall expand the First Sergeants Barracks Initiative (FSBI) to include all Army installations in order to improve the quality of life and living environments for single soldiers.

(b) **PROGRESS REPORTS.**—Not later than February 15, 2010, and February 15, 2011, the Secretary of the Army shall submit to Congress a report describing the progress made in expanding the First Sergeants Barracks Initiative to all Army installations, including whether the Secretary anticipates meeting the deadline imposed by subsection (a).

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b)(1), the Secretary of the Army may acquire real property and carry out military construction projects to construct or renovate warrior transition unit facilities at the installations or locations outside the United States set forth in the following table:

Army: Outside the United States

| Country | Installation or Location | Amount |
|---------------|--------------------------|---------------|
| Various | Various locations | \$854,600,000 |

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of \$930,484,000, as follows:

(1) For military construction projects outside the United States authorized by subsection (a), \$854,600,000.

(2) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$75,884,000.

(c) **REPORT REQUIRED BEFORE COMMENCING CERTAIN PROJECTS.**—Funds may not be obligated for the projects authorized by this section until 14 days after the date on which the Secretary of Defense submits to the congressional defense committees a report containing a detailed justification for the projects.

SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects to construct or renovate warrior transition unit facilities at the installations or locations outside the United States set forth in the following table:

Air Force: Outside the United States

| Country | Installation or Location | Amount |
|---------|--------------------------|---------------|
| Various | Various locations .. | \$439,500,000 |

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Subject to section 2825 of title 10, United States Code, funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of \$474,500,000, as follows:

(1) For military construction projects outside the United States authorized by subsection (a), \$439,500,000.

(2) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$35,000,000.

(c) **REPORT REQUIRED BEFORE COMMENCING CERTAIN PROJECTS.**—Funds may not be obligated for the projects authorized by this section until 14 days after the date on which the Secretary of Defense submits to the congressional defense committees a report containing a detailed justification for the projects.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS**TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS****Subtitle A—National Security Programs Authorizations****SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2010 for the activities of the National Nuclear Security Administration in carrying out programs necessary for national security in the amount of \$10,051,215,000, to be allocated as follows:

(1) For weapons activities, \$6,490,619,000.

(2) For defense nuclear nonproliferation activities, including \$705,900,000 for fissile materials disposition, \$2,136,709,000.

(3) For naval reactors, \$1,003,133,000.

(4) For the Office of the Administrator for Nuclear Security, \$420,754,000.

(b) **AUTHORIZATION OF NEW PLANT PROJECTS.**—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

(1) For readiness in technical base and facilities, the following new plant project:

Project 10-D-501, Nuclear Facility Risk Reduction (NFRR), Y-12 National Security Complex, Oak Ridge, Tennessee, \$12,500,000.

(2) For defense nuclear security, the following new plant project:

Project 10-D-701, Security Improvement Project (SIP), Y-12 National Security Complex, Oak Ridge, Tennessee, \$49,000,000.

(3) For naval reactors, the following new plant projects:

Project 10-D-904, Naval Reactors Facility (NRF) infrastructure upgrades, Naval Reactors Facility, Idaho Falls, Idaho, \$700,000.

Project 10-D-903, Security upgrades, Knolls Atomic Power Laboratory, Knolls Site and Kesselring Site, Schenectady, New York, \$1,500,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2010 for defense environmental cleanup activities in carrying out programs necessary for national security in the amount of \$5,395,831,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2010 for other defense activities in carrying out programs necessary for national security in the amount of \$852,468,000.

SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2010 for defense nuclear waste disposal for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of \$98,400,000.

SEC. 3105. FUNDING TABLE.

The amounts authorized to be appropriated by sections 3101, 3102, 3103, and 3104 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4501.

Subtitle B—Program Authorizations, Restrictions, and Limitations**SEC. 3111. NUCLEAR WEAPONS STOCKPILE LIFE EXTENSION PROGRAM.**

Section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) is amended to read as follows:

“SEC. 4204. NUCLEAR WEAPONS STOCKPILE LIFE EXTENSION PROGRAM.

“(a) **PROGRAM REQUIRED.**—The Secretary of Energy shall, in consultation with the Secretary of Defense, carry out a program to provide for the extension of the effective life of the weapons in the nuclear weapons stockpile without nuclear weapons testing.

“(b) **ADMINISTRATIVE RESPONSIBILITY FOR PROGRAM.**—

“(1) **IN GENERAL.**—The program under subsection (a) shall be carried out through the National Nuclear Security Administration.

“(2) **INCLUSION OF PROGRAM FUNDS IN BUDGET.**—For each budget submitted by the President to Congress under section 1105 of title 31, United States Code, the amounts requested for the program under subsection (a) shall be clearly identified in the budget justification materials submitted to Congress in support of that budget.

“(c) **PROGRAM PLAN.**—As part of the program under subsection (a), the Secretary of Energy shall develop a long-term plan to extend the effective life of the weapons in the nuclear weapons stockpile without nuclear weapons testing. The plan shall include the following:

“(1) Mechanisms to provide for the manufacture, maintenance, and modernization of each weapon design in the nuclear stockpile, as needed.

“(2) Mechanisms to expedite the collection of information necessary for carrying out the program, including information relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials.

“(3) Mechanisms to ensure the appropriate assignment of roles and missions for each nuclear weapons laboratory and production plant of the Department of Energy, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel.

“(4) Mechanisms to ensure that each national laboratory of the National Nuclear Security Administration has full and complete access to all weapons data to enable a rigorous peer review process to support the annual assessment of the condition of the nuclear weapons stockpile required under section 4205.

“(5) Mechanisms for allocating funds for activities under the program, including allocations of funds by weapon type and facility.

“(6) An identification of the funds needed, in the current fiscal year and in each of the next 5 fiscal years, to carry out the program.

“(d) **ANNUAL UPDATES.**—The Secretary of Energy shall update the plan required under subsection (c) annually and shall submit the updated plan to Congress as part of the plan for maintaining the nuclear weapons stockpile submitted to Congress under section 4203(c).

“(e) **SENSE OF CONGRESS ON FUNDING OF PROGRAM.**—It is the sense of Congress that the President should include in each budget for a fiscal year submitted to Congress under section 1105 of title 31, United States Code, sufficient funds to carry out in that fiscal year the activities under the program under subsection (a) that are specified in the most current version of the plan required under subsection (c).”

SEC. 3112. ELIMINATION OF NUCLEAR WEAPONS LIFE EXTENSION PROGRAM FROM EXCEPTION TO REQUIREMENT TO REQUEST FUNDS IN BUDGET OF THE PRESIDENT.

Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—

(1) in subsection (c), by striking “necessary—” and all that follows through the period and inserting “necessary to address proliferation concerns.”; and

(2) in subsection (d)—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

SEC. 3113. REPEAL OF RELIABLE REPLACEMENT WARHEAD PROGRAM.

(a) **IN GENERAL.**—Section 4204A of the Atomic Energy Defense Act (50 U.S.C. 2524a) is repealed.

(b) **CONFORMING AMENDMENT.**—The table of contents for that Act is amended by striking the item relating to section 4204A.

SEC. 3114. AUTHORIZATION OF USE OF INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION PROGRAM FUNDS FOR BILATERAL AND MULTILATERAL NON-PROLIFERATION AND DISARMAMENT ACTIVITIES.

(a) **IN GENERAL.**—Notwithstanding any other provision of law and subject to subsection (b), the Secretary of Energy may obligate or expend not more than 10 percent of the funds authorized to be appropriated or otherwise made available for the International Nuclear Materials Protection and Cooperation program in a fiscal year to provide assistance for or to otherwise carry out bilateral or multilateral activities relating to nonproliferation or disarmament.

(b) **NOTIFICATION OF CONGRESSIONAL DEFENSE COMMITTEES.**—The Secretary may obligate or expend funds pursuant to subsection (a) if, not less than 15 days before obligating or expending such funds—

(1) the Secretary notifies the congressional defense committees of the intent of the Secretary to obligate or expend such funds; and

(2) the President certifies to the congressional defense committees that obligating or expending such funds is necessary to support the national security objectives of the United States.

SEC. 3115. REPEAL OF PROHIBITION ON FUNDING ACTIVITIES ASSOCIATED WITH INTERNATIONAL COOPERATIVE STOCKPILE STEWARDSHIP.

(a) **IN GENERAL.**—Section 4301 of the Atomic Energy Defense Act (50 U.S.C. 2561) is repealed.

(b) **CLERICAL AMENDMENT.**—The table of contents for that Act is amended by striking the item relating to section 4301.

SEC. 3116. MODIFICATION OF MINOR CONSTRUCTION THRESHOLD FOR PLANT PROJECTS.

Section 4701(3) of the Atomic Energy Defense Act (50 U.S.C. 2741(3)) is amended by striking “\$5,000,000” and inserting “\$7,000,000”.

SEC. 3117. TWO-YEAR EXTENSION OF AUTHORITY FOR APPOINTMENT OF CERTAIN SCIENTIFIC, ENGINEERING, AND TECHNICAL PERSONNEL.

Section 4601(c)(1) of the Atomic Energy Defense Act (50 U.S.C. 2701(c)(1)) is amended by

striking “September 30, 2009” and inserting “September 30, 2011”.

SEC. 3118. REPEAL OF SUNSET DATE FOR CONSOLIDATION OF COUNTERINTELLIGENCE PROGRAMS OF DEPARTMENT OF ENERGY AND NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 3117 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2507; 42 U.S.C. 7144b note) is amended by amending subsection (a) to read as follows:

“(a) **TRANSFER OF FUNCTIONS.**—The functions, personnel, funds, assets, and other resources of the Office of Defense Nuclear Counterintelligence of the National Nuclear Security Administration are transferred to the Secretary of Energy, to be administered (except to any extent otherwise directed by the Secretary) by the Director of the Office of Counterintelligence of the Department of Energy.”.

Subtitle C—Other Matters

SEC. 3131. TEN-YEAR PLAN FOR UTILIZATION AND FUNDING OF CERTAIN DEPARTMENT OF ENERGY FACILITIES.

(a) **IN GENERAL.**—The Administrator for Nuclear Security and the Under Secretary for Science of the Department of Energy shall jointly develop a plan to use and fund, over a ten-year period, the following facilities of the Department of Energy:

(1) The National Ignition Facility at the Lawrence Livermore National Laboratory, California.

(2) The Los Alamos Neutron Science Center at the Los Alamos National Laboratory, New Mexico.

(3) The “Z” Machine at the Sandia National Laboratories, New Mexico.

(4) The Microsystems and Engineering Sciences Application (MESA) Facility at the Sandia National Laboratories, New Mexico.

(b) **SUBMITTAL OF PLAN.**—Not later than 45 days after the date of the enactment of this Act, the Administrator for Nuclear Security and the Under Secretary for Science of the Department of Energy shall submit to the congressional defense committees the plan required by subsection (a).

(c) **REQUIREMENT TO SPECIFY SOURCE OF FACILITY FUNDING IN BUDGET REQUESTS.**—In any budget request for the Department of Energy for a fiscal year that is submitted to Congress after the date of the enactment of this Act, the Secretary of Energy shall identify for that fiscal year the portion of the funding for each facility specified in subsection (a) that is to be provided by the National Nuclear Security Administration and by the Office of Science of the Department of Energy.

SEC. 3132. REVIEW OF MANAGEMENT AND OPERATION OF CERTAIN NATIONAL LABORATORIES.

(a) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Energy shall, in consultation with the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, appoint an independent panel of experts to conduct a review of the management and operation of the following:

(1) The Lawrence Livermore National Laboratory, California.

(2) The Los Alamos National Laboratory, New Mexico.

(3) The Sandia National Laboratories, New Mexico.

(b) **ADMINISTRATIVE PROVISIONS.**—

(1) **APPOINTMENT OF CHAIRPERSON.**—The Secretary of Energy shall appoint a chairperson of the panel from among the members of the panel.

(2) **DESIGNATION OF AGENCY STAFF TO PANEL.**—The Secretary of Energy, the Secretary of Defense, and the Director of National Intelligence shall each designate one or more employees of the Department of Energy, the Department of Defense, and the intelligence community, re-

spectively, to serve as liaisons between the panel and the Department of Energy, the Department of Defense, or the intelligence community, as the case may be.

(3) **AGENCY COOPERATION.**—The Secretary of Energy shall, in consultation with the Secretary of Defense and the Director of National Intelligence, ensure that the panel receives full and timely cooperation from the Department of Energy, the Department of Defense, and the Director of National Intelligence in conducting the review required under subsection (a).

(4) **SUPPORT FROM FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.**—The Secretary of Energy may use a federally funded research and development center not associated with the Department of Energy to provide support to the panel.

(c) **ELEMENTS.**—The review required under subsection (a) shall include, with respect to each laboratory specified in such subsection, an evaluation of the following:

(1) The quality of the scientific research being conducted at the laboratory, including research with respect to weapons science, nonproliferation, energy, and basic science.

(2) The quality of the engineering being conducted at the laboratory.

(3) The general operations of the laboratory, including the management of facilities and procedures with respect to safety, security, environmental management and compliance, and human capital.

(4) The financial operations of the laboratory, including contract administration, accounting controls, and management of property and equipment.

(5) The management of work conducted by the laboratory for entities other than the Department of Energy, including academic institutions and other Federal agencies, and interactions between the laboratory and such entities.

(6) The adequacy and effectiveness of the form and scope of current management contracts in implementing the mission of the laboratory.

(7) The effectiveness of the management and oversight of the laboratory by the Department of Energy.

(d) **REPORT OF PANEL.**—The panel shall submit to the Secretary of Energy a report containing the results of the review and any recommendations of the panel resulting from the review.

(e) **TRANSMITTAL TO CONGRESS.**—Not later than January 1, 2011, the Secretary of Energy shall transmit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the report of the panel submitted under subsection (d) and any comments or recommendations of the Secretary with respect to that report.

SEC. 3133. INCLUSION IN 2010 STOCKPILE STEWARDSHIP PLAN OF CERTAIN INFORMATION RELATING TO STOCKPILE STEWARDSHIP CRITERIA.

(a) **IN GENERAL.**—The Secretary of Energy shall include in the 2010 stockpile stewardship plan the elements specified in subsection (b).

(b) **ELEMENTS.**—The elements specified in this subsection are the following:

(1) An update of any information or criteria included in the report on stockpile stewardship criteria submitted under subsection (c) of section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522).

(2) A description of any additional information identified under paragraph (1) of such subsection (c) or criteria established under subsection (a) of such section 4202 during the period beginning on the date of the submittal of the report under section 3133 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1751; 50 U.S.C. 2523 note) and ending on the date of the submittal of the 2010 stockpile stewardship plan.

(3) For each science-based tool developed or modified by the Department of Energy during the period described in paragraph (2) to collect

information needed to determine that the nuclear weapons stockpile is safe, secure, and reliable—

(A) a description of the relationship of the science-based tool to the collection of such information; and

(B) a description of criteria for assessing the effectiveness of the science-based tool in collecting such information.

(c) **2010 STOCKPILE STEWARDSHIP PLAN DEFINED.**—In this section, the term “2010 stockpile stewardship plan” means the updated version of the plan for maintaining the nuclear weapons stockpile developed under section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) and required to be submitted to Congress on May 1, 2010, by subsection (c) of such section.

SEC. 3134. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF PROJECTS CARRIED OUT BY THE OFFICE OF ENVIRONMENTAL MANAGEMENT OF THE DEPARTMENT OF ENERGY PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct a series of three reviews, as described in subsections (b), (c), and (d), of projects carried out by the Office of Environmental Management of the Department of Energy (in this section referred to as the “Office”) using American Recovery and Reinvestment Act funds.

(b) **PHASE ONE REVIEW.**—

(1) **IN GENERAL.**—Beginning on the date of the enactment of this Act, the Comptroller General shall conduct a review of the following:

(A) The criteria used by the Office to select projects to be carried out using American Recovery and Reinvestment Act funds.

(B) The extent to which lessons learned during previous accelerations of defense environmental cleanup efforts were used in the development of such criteria.

(C) The process used by the Office to estimate costs and develop schedules for such projects.

(D) The process used by the Office for the independent validation of the scope, cost, and schedule for such projects.

(E) The criteria and methodology used by the Office to measure the contribution of each such project toward reducing the overall costs, and meeting the goals, of defense environmental cleanup.

(2) **REPORT.**—Not later than 30 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report containing the results of the review conducted under paragraph (1).

(c) **PHASE TWO REVIEW.**—

(1) **IN GENERAL.**—The Comptroller General shall conduct a review, during the period described in paragraph (2), of the following:

(A) The implementation of each project carried out using American Recovery and Reinvestment Act funds.

(B) The extent to which each such project is meeting the cost and scheduling goals of the project.

(C) The number of jobs created or maintained through such projects.

(D) The adequacy of contract oversight for such projects.

(E) Any technical problems or other problems in connection with such projects that are identified by the Comptroller General in the course of the review.

(F) Any management and implementation issues or actions, or other systemic issues, identified by the Comptroller General in the course of the review that either hinder or assist the effective management of defense environmental cleanup efforts.

(2) **PERIOD DESCRIBED.**—The period described in this paragraph is the period—

(A) beginning on the date on which the Comptroller General submits the report required under subsection (b)(2); and

(B) ending on the later of—

(i) the date on which all projects carried out using American Recovery and Reinvestment Act funds have been completed; or

(ii) the date on which all American Recovery and Reinvestment Act funds have been obligated or expended or are no longer available to be obligated or expended.

(3) **REPORTS.**—The Comptroller General shall submit to the congressional defense committees a report on the status of the review conducted under paragraph (1) not later than 30 days after submitting the report required under subsection (b)(2) and every 120 days thereafter until the end of the period described in paragraph (2).

(d) **PHASE THREE REVIEW.**—

(1) **IN GENERAL.**—Beginning on the date on which the Comptroller General submits the last report required under subsection (c)(3), the Comptroller General shall conduct a review of the following:

(A) The implementation of all projects carried out using American Recovery and Reinvestment Act funds, including the number of such projects that were completed, that were not completed, that were completed on budget, that exceeded the budget for such project, that were completed on schedule, and that exceeded the scheduling goals for such project.

(B) The impact on employment as a result of the completion of such projects.

(C) Any lessons learned as a result of accelerating such projects.

(D) The extent to which the achievement of the overall goals of defense environmental cleanup were accelerated, and the overall costs of defense environmental cleanup were reduced, as a result of such projects.

(E) Any other issues the Comptroller General considers appropriate with respect to such projects.

(2) **REPORT.**—Not later than 90 days after submitting the last report required under subsection (c)(3), the Comptroller General shall submit to the congressional defense committees a report containing the results of the review conducted under paragraph (1).

(e) **AMERICAN RECOVERY AND REINVESTMENT ACT FUNDS DEFINED.**—In this section, the term “American Recovery and Reinvestment Act funds” means funds made available for the Office of Environmental Management under the heading “DEFENSE ENVIRONMENTAL CLEANUP” under the heading “ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES” under the heading “DEPARTMENT OF ENERGY” under title IV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 140).

SEC. 3135. IDENTIFICATION IN BUDGET MATERIALS OF AMOUNTS FOR CERTAIN DEPARTMENT OF ENERGY PENSION OBLIGATIONS.

The Secretary of Energy shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget for a fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) specific identification, as a budgetary line item, of the amounts required to meet the pension obligations of the Department of Energy for contractor employees at each facility of the Department of Energy operated using amounts authorized to be appropriated for the Department of Energy.

SEC. 3136. EXPANSION OF AUTHORITY OF OMBUDSMAN OF ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) **IN GENERAL.**—Section 3686 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–15) is amended—

(1) in subsection (c), by inserting “and subtitle B” after “this subtitle” each place it appears;

(2) in subsection (d), by inserting “and subtitle B” after “this subtitle”;

(3) in subsection (e), by inserting “and subtitle B” after “this subtitle” each place it appears;

(4) by redesignating subsection (g) as subsection (h); and

(5) by inserting after subsection (f) the following new subsection:

“(g) **NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH OMBUDSMAN.**—In carrying out the duties of the Ombudsman under this section, the Ombudsman shall work with the individual employed by the National Institute for Occupational Safety and Health to serve as an ombudsman to individuals making claims under subtitle B.”

(b) **CONSTRUCTION.**—Except as specifically provided in subsection (g) of section 3686 of the Energy Employees Occupational Illness Compensation Program Act of 2000, as amended by subsection (a) of this section, nothing in the amendments made by such subsection (a) shall be construed to alter or affect the duties and functions of the individual employed by the National Institute for Occupational Safety and Health to serve as an ombudsman to individuals making claims under subtitle B of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l et seq.).

SEC. 3137. COMPTROLLER GENERAL STUDY OF STOCKPILE STEWARDSHIP PROGRAM.

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study of the stockpile stewardship program established under section 4201 of the Atomic Energy Defense Act (50 U.S.C. 2521) to determine if the program was functioning, as of December 2008, as envisioned when the program was established.

(b) **ELEMENTS.**—The study required by subsection (a) shall include the following:

(1) An assessment of whether the capabilities determined to be necessary to maintain the nuclear weapons stockpile without nuclear testing have been implemented and the extent to which such capabilities are functioning.

(2) A review and description of the agreements governing use, management, and support of the capabilities developed for the stockpile stewardship program and an assessment of enforcement of, and compliance with, those agreements.

(3) An assessment of plans for surveillance and testing of nuclear weapons in the stockpile and the extent of the compliance with such plans.

(4) An assessment of—

(A) the condition of the infrastructure at the plants and laboratories of the nuclear weapons complex;

(B) the value of nuclear weapons facilities built after 1992;

(C) any plans that are in place to maintain, improve, or replace such infrastructure;

(D) whether there is a validated requirement for all planned infrastructure replacement projects; and

(E) the projected costs for each such project and the timeline for completion of each such project.

(5) An assessment of the efforts to ensure and maintain the intellectual and technical capability of the nuclear weapons complex to support the nuclear weapons stockpile.

(6) Recommendations for the stockpile stewardship program going forward.

(c) **REPORT.**—Not later than 270 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report containing the results of the study required by subsection (a).

SEC. 3138. SENSE OF THE SENATE ON PRODUCTION OF MOLYBDENUM-99.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) There are fewer than five reactors around the world currently capable of producing molybdenum-99 (Mo-99) and there are no such reactors in the United States that can provide a reliable supply of Mo-99 to meet medical needs.

(2) Since November 2007, there have been major disruptions in the global availability of Mo-99, including at facilities in Canada and the Netherlands, which have led to shortages of Mo-99-based medical products in the United States and around the world.

(3) Ensuring a reliable supply of medical radioisotopes, including Mo-99, is of great importance to the public health.

(4) It is also a national security priority of the United States, and specifically of the Department of Energy, to encourage the production of low-enriched uranium-based radioisotopes in order to promote a more peaceful international nuclear order.

(5) The National Academy of Sciences has identified a need to establish a reliable capability in the United States for the production of Mo-99 and its derivatives for medical purposes using low-enriched uranium.

(6) There also exists a capable industrial base in the United States that can support the development of Mo-99 production facilities and can conduct the processing and distribution of radiopharmaceutical products for use in medical tests worldwide.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that—

(1) radioisotopes and radiopharmaceuticals, including Mo-99 and its derivatives, are essential components of medical tests that help diagnose and treat life-threatening diseases affecting millions of people each year; and

(2) the Secretary of Energy should continue and expand a program to meet the need identified by the National Academy of Sciences to ensure a source of Mo-99 and its derivatives for use in medical tests to help ensure the health security of the United States and around the world and promote peaceful nuclear industries through the use of low-enriched uranium.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2010, \$26,086,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIII—MARITIME ADMINISTRATION

SEC. 3301. MARITIME ADMINISTRATION.

Section 109 of title 49, United States Code, is amended to read as follows:

“§ 109. Maritime Administration

“(a) **ORGANIZATION.**—The Maritime Administration is an administration in the Department of Transportation.

“(b) **MARITIME ADMINISTRATOR.**—The head of the Maritime Administration is the Maritime Administrator, who is appointed by the President by and with the advice and consent of the Senate. The Administrator shall report directly to the Secretary of Transportation and carry out the duties prescribed by the Secretary.

“(c) **DEPUTY MARITIME ADMINISTRATOR.**—The Maritime Administrator shall have a Deputy Maritime Administrator, who is appointed in the competitive service by the Secretary, after consultation with the Administrator. The Deputy Administrator shall carry out the duties prescribed by the Administrator. The Deputy Administrator shall be Acting Administrator during the absence or disability of the Administrator and, unless the Secretary designates another individual, during a vacancy in the office of Administrator.

“(d) **DUTIES AND POWERS VESTED IN SECRETARY.**—All duties and powers of the Maritime Administration are vested in the Secretary.

“(e) **REGIONAL OFFICES.**—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific port ranges, and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Secretary shall carry out appropriate

activities and programs of the Maritime Administration through the regional offices.

“(f) INTERAGENCY AND INDUSTRY RELATIONS.—The Secretary shall establish and maintain liaison with other agencies, and with representative trade organizations throughout the United States, concerned with the transportation of commodities by water in the export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.

“(g) DETAILING OFFICERS FROM ARMED FORCES.—To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the armed forces may be detailed to the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added to the officer's pay and allowances as an officer in the armed forces, make the officer's total pay and allowances equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.

“(h) CONTRACTS AND AUDITS.—

“(1) CONTRACTS.—In the same manner that a private corporation may make a contract within the scope of its authority under its charter, the Secretary may make contracts for the United States Government and disburse amounts to—

“(A) carry out the Secretary's duties and powers under this section and subtitle V of title 46; and

“(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.

“(2) AUDITS.—The financial transactions of the Secretary under paragraph (1) shall be audited by the Comptroller General. The Com-

troller General shall allow credit for an expenditure shown to be necessary because of the nature of the business activities authorized by this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any departure by the Secretary from this section or subtitle V of title 46.

“(i) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, there are authorized to be appropriated such amounts as may be necessary to carry out the duties and powers of the Secretary relating to the Maritime Administration.

“(2) LIMITATIONS.—Only those amounts specifically authorized by law may be appropriated for the use of the Maritime Administration for—

“(A) acquisition, construction, or reconstruction of vessels;

“(B) construction-differential subsidies incident to the construction, reconstruction, or reconditioning of vessels;

“(C) costs of national defense features;

“(D) payments of obligations incurred for operating-differential subsidies;

“(E) expenses necessary for research and development activities, including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental vessel operations;

“(F) the Vessel Operations Revolving Fund;

“(G) National Defense Reserve Fleet expenses;

“(H) expenses necessary to carry out part B of subtitle V of title 46; and

“(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.

“(3) TRAINING VESSELS.—Amounts may not be appropriated for the purchase or construction of training vessels for State maritime academies unless the Secretary has approved a plan for

sharing training vessels between State maritime academies.”.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—Decisions by agency heads to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall be based on authorized, transparent, statutory criteria, or merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, and other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND REPROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supercede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

PROCUREMENT (In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|-------------------------------------------|-----------------|-----------|---------------|------------|-------------------|-----------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| | AIRCRAFT PROCUREMENT, ARMY | | | | | | |
| | AIRCRAFT | | | | | | |
| | FIXED WING | | | | | | |
| 001 | JOINT CARGO AIRCRAFT (JCA) | | | | | | |
| 002 | UTILITY F/W AIRCRAFT | | | | | | |
| 003 | MQ-1 UAV | 24 | 401,364 | -12 | -200,000 | 12 | 201,364 |
| | Avoid forward funding of production | | | | [-200,000] | | |
| 004 | RQ-11 (RAVEN) | 618 | 35,008 | | | 618 | 35,008 |
| 004A | C-12A | | | | | | |
| | ROTARY WING | | | | | | |
| 006 | ARMED RECONNAISSANCE HELICOPTER | | | | | | |
| 007 | ADVANCE PROCUREMENT (CY) | | | | | | |
| 008 | HELICOPTER, LIGHT UTILITY (LUH) | 54 | 326,040 | | | 54 | 326,040 |
| 009 | AH-64 APACHE BLOCK III | 8 | 161,280 | | | 8 | 161,280 |
| 010 | ADVANCE PROCUREMENT (CY) | | 57,890 | | | | 57,890 |
| 011 | UH-60 BLACKHAWK (MYP) | 79 | 1,258,374 | | | 79 | 1,258,374 |
| 012 | ADVANCE PROCUREMENT (CY) | | 98,740 | | | | 98,740 |
| 013 | CH-47 HELICOPTER | 35 | 860,087 | | 22,000 | 35 | 882,087 |
| | Multiyear procurement execution | | | | [22,000] | | |
| 014 | ADVANCE PROCUREMENT (CY) | | 50,676 | | | | 50,676 |
| 015 | HELICOPTER NEW TRAINING | | 19,639 | | | | 19,639 |
| | MODIFICATION OF AIRCRAFT | | | | | | |
| 016 | MQ-1 PAYLOAD—UAS | | 87,424 | | | | 87,424 |
| 017 | MQ-1 WEAPONIZATION—UAS | | 14,832 | | | | 14,832 |
| 018 | GUARDRAIL MODS (MIP) | | 61,517 | | | | 61,517 |
| 019 | MULTI SENSOR ABN RECON (MIP) | | 21,457 | | | | 21,457 |
| 020 | AH-64 MODS | | 426,415 | | 5,500 | | 431,915 |
| | Fuselage manufacturing | | | | [5,500] | | |
| 021 | ADVANCE PROCUREMENT (CY) | | | | | | |
| 022 | CH-47 CARGO HELICOPTER MODS (MYP) | | 102,876 | | -22,000 | | 80,876 |
| | Multiyear procurement execution | | | | [-22,000] | | |
| 023 | ADVANCE PROCUREMENT (CY) | | | | | | |
| 024 | UTILITY/CARGO AIRPLANE MODS | | 39,547 | | | | 39,547 |
| 025 | AIRCRAFT LONG RANGE MODS | | 823 | | | | 823 |
| 026 | UTILITY HELICOPTER MODS | | 66,682 | | 20,400 | | 87,082 |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|-------------------------------------------------------------|-----------------|------------------|---------------|-----------------|-------------------|------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| | UH-60A to UH-60L conversion | | | | [20,400] | | |
| 027 | KIOWA WARRIOR | | 140,768 | | | | 140,768 |
| 028 | AIRBORNE AVIONICS | | 241,287 | | | | 241,287 |
| 029 | GATM ROLLUP | | 103,142 | | | | 103,142 |
| 030 | RQ-7 UAV MODS | | 283,012 | | | | 283,012 |
| 030A | C-12A | | | | | | |
| | SPARES AND REPAIR PARTS | | | | | | |
| 031 | SPARE PARTS (AIR) | | 7,083 | | | | 7,083 |
| | SUPPORT EQUIPMENT AND FACILITIES | | | | | | |
| | GROUND SUPPORT AVIONICS | | | | | | |
| 032 | AIRCRAFT SURVIVABILITY EQUIPMENT | | 25,975 | | | | 25,975 |
| 033 | ASE INFRARED CM | | 186,356 | | | | 186,356 |
| | OTHER SUPPORT | | | | | | |
| 034 | AVIONICS SUPPORT EQUIPMENT | | 4,933 | | | | 4,933 |
| 035 | COMMON GROUND EQUIPMENT | | 87,682 | | | | 87,682 |
| 036 | AIRCREW INTEGRATED SYSTEMS | | 52,725 | | 3,000 | | 55,725 |
| | Air warrior ensemble—generation III | | | | [3,000] | | |
| 037 | AIR TRAFFIC CONTROL | | 76,999 | | | | 76,999 |
| 038 | INDUSTRIAL FACILITIES | | 1,533 | | | | 1,533 |
| 039 | LAUNCHER, 2.75 ROCKET | | 2,716 | | | | 2,716 |
| 040 | AIRBORNE COMMUNICATIONS | | 11,109 | | | | 11,109 |
| | TOTAL—AIRCRAFT PROCUREMENT, ARMY | | 5,315,991 | | -171,100 | | 5,144,891 |
| | MISSILE PROCUREMENT, ARMY | | | | | | |
| | OTHER MISSILES | | | | | | |
| | SURFACE-TO-AIR MISSILE SYSTEM | | | | | | |
| 001 | PATRIOT SYSTEM SUMMARY | 59 | 348,351 | | | 59 | 348,351 |
| 002 | PATRIOT/MEADS CAP SYSTEM SUMMARY | | 16,406 | | | | 16,406 |
| 003 | SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY: | 13 | 72,920 | | | 13 | 72,920 |
| 004 | ADVANCE PROCUREMENT (CY) | | | | | | |
| | AIR-TO-SURFACE MISSILE SYSTEM | | | | | | |
| 005 | HELLFIRE SYS SUMMARY | 240 | 31,154 | | | 240 | 31,154 |
| | ANTI-TANK/ASSAULT MISSILE SYSTEM | | | | | | |
| 006 | JAVELIN (AAWS-M) SYSTEM SUMMARY | 470 | 148,649 | | | 470 | 148,649 |
| 007 | TOW 2 SYSTEM SUMMARY | 1165 | 108,066 | | | 1165 | 108,066 |
| 008 | GUIDED MLRS ROCKET (GMLRS) | 2628 | 293,617 | | | 2628 | 293,617 |
| 009 | MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) | 2064 | 15,663 | | | 2064 | 15,663 |
| 010 | HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS) | 46 | 209,061 | | | 46 | 209,061 |
| 011 | ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM | | | | | | |
| | MODIFICATIONS | | | | | | |
| 012 | PATRIOT MODS | | 44,775 | | 5,000 | | 49,775 |
| | Command & control modifications | | | | [5,000] | | |
| 013 | ITAS/TOW MODS | | 6,983 | | | | 6,983 |
| 014 | MLRS MODS | | 3,662 | | | | 3,662 |
| 015 | HIMARS MODIFICATIONS | | 38,690 | | | | 38,690 |
| 016 | HELLFIRE MODIFICATIONS | | 10 | | | | 10 |
| | SPARES AND REPAIR PARTS | | | | | | |
| 017 | SPARES AND REPAIR PARTS | | 22,338 | | | | 22,338 |
| | SUPPORT EQUIPMENT AND FACILITIES | | | | | | |
| 018 | AIR DEFENSE TARGETS | | 4,188 | | | | 4,188 |
| 019 | ITEMS LESS THAN \$5.0M (MISSILES) | | 1,178 | | | | 1,178 |
| 020 | PRODUCTION BASE SUPPORT | | 4,398 | | | | 4,398 |
| | TOTAL—MISSILE PROCUREMENT, ARMY | | 1,370,109 | | 5,000 | | 1,375,109 |
| | PROCUREMENT OF WEAPONS & TRACKED COMBAT VEHICLES | | | | | | |
| | TRACKED COMBAT VEHICLES | | | | | | |
| 001 | BRADLEY PROGRAM | | | | | | |
| 002 | BRADLEY TRAINING DEVICES (MOD) | | | | | | |
| 003 | ABRAMS TANK TRAINING DEVICES | | | | | | |
| 004 | STRYKER VEHICLE | | 388,596 | | | | 388,596 |
| 005 | FUTURE COMBAT SYSTEMS: (FCS) | | | | | | |
| 006 | ADVANCE PROCUREMENT (CY) | | | | | | |
| 007 | FCS SPIN OUTS | | 285,920 | | | | 285,920 |
| 008 | ADVANCE PROCUREMENT (CY) | | 42,001 | | | | 42,001 |
| | MODIFICATION OF TRACKED COMBAT VEHICLES | | | | | | |
| 009 | FIST VEHICLE (MOD) | | 34,192 | | | | 34,192 |
| 010 | BRADLEY PROGRAM (MOD) | | 526,356 | | | | 526,356 |
| 011 | HOWITZER, MED SP FT 155MM M109A6 (MOD) | | 96,503 | | | | 96,503 |
| 012 | IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) | 12 | 96,814 | | | 12 | 96,814 |
| 013 | ARMORED BREACHER VEHICLE | | 63,250 | | | | 63,250 |
| 014 | JOINT ASSAULT BRIDGE | | 70,637 | | | | 70,637 |
| 015 | M1 ABRAMS TANK (MOD) | | 183,829 | | | | 183,829 |
| 016 | ABRAMS UPGRADE PROGRAM | 22 | 185,611 | | | 22 | 185,611 |
| | SUPPORT EQUIPMENT & FACILITIES | | | | | | |
| 017 | ITEMS LESS THAN \$5.0M (TCV-WTCV) | | | | | | |
| 018 | PRODUCTION BASE SUPPORT (TCV-WTCV) | | 6,601 | | | | 6,601 |
| | WEAPONS AND OTHER COMBAT VEHICLES | | | | | | |
| 019 | HOWITZER, LIGHT, TOWED, 105MM, M119 | 70 | 95,631 | | | 70 | 95,631 |
| 020 | M240 MEDIUM MACHINE GUN (7.62MM) | 2010 | 32,919 | | | 2010 | 32,919 |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|------------------------------------------------------|-----------------|------------------|---------------|---------|-------------------|------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 021 | MACHINE GUN, CAL .50 M2 ROLL | 4825 | 84,588 | | | 4825 | 84,588 |
| 022 | LIGHTWEIGHT .50 CALIBER MACHINE GUN | | 977 | | | | 977 |
| 023 | M249 SAW MACHINE GUN (5.56MM) | 1550 | 7,535 | | | 1550 | 7,535 |
| 024 | MK-19 GRENADE MACHINE GUN (40MM) | 349 | 7,700 | | | 349 | 7,700 |
| 025 | MORTAR SYSTEMS | 315 | 14,779 | | | 315 | 14,779 |
| 026 | M107, CAL. 50, SNIPER RIFLE | | 224 | | | | 224 |
| 027 | XM320 GRENADE LAUNCHER MODULE (GLM) | 4740 | 16,023 | | | 4740 | 16,023 |
| 028 | M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS) | 448 | 6,223 | | | 448 | 6,223 |
| 029 | M4 CARBINE | 12000 | 20,500 | | | 12000 | 20,500 |
| 030 | SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS) | 3738 | 6,945 | | | 3738 | 6,945 |
| 031 | COMMON REMOTELY OPERATED WEAPONS STATION (CRO) | | | | | | |
| 032 | HANDGUN | 5000 | 3,389 | | | 5000 | 3,389 |
| 033 | HOWITZER LT WT 155MM (T) | 17 | 49,572 | | | 17 | 49,572 |
| | MOD OF WEAPONS AND OTHER COMBAT VEH | | | | | | |
| 034 | MK-19 GRENADE MACHINE GUN MODS | | 8,164 | | | | 8,164 |
| 035 | M4 CARBINE MODS | | 31,472 | | | | 31,472 |
| 036 | M2 50 CAL MACHINE GUN MODS | | 7,738 | | | | 7,738 |
| 037 | M249 SAW MACHINE GUN MODS | | 7,833 | | | | 7,833 |
| 038 | M240 MEDIUM MACHINE GUN MODS | | 17,964 | | | | 17,964 |
| 039 | PHALANX MODS | | | | | | |
| 040 | M119 MODIFICATIONS | | 25,306 | | | | 25,306 |
| 041 | M16 RIFLE MODS | | 4,186 | | | | 4,186 |
| 041A | M14 7.62 RIFLE MODS | | | | | | |
| 042 | MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV) | | 6,164 | | | | 6,164 |
| | SUPPORT EQUIPMENT & FACILITIES | | | | | | |
| 043 | ITEMS LESS THAN \$5.0M (WOCV-WTCV) | | 551 | | | | 551 |
| 044 | PRODUCTION BASE SUPPORT (WOCV-WTCV) | | 9,855 | | | | 9,855 |
| 045 | INDUSTRIAL PREPAREDNESS | | 392 | | | | 392 |
| 046 | SMALL ARMS EQUIPMENT (SOLDIER ENH PROG) | | 5,012 | | | | 5,012 |
| | TOTAL—PROCUREMENT OF WTCV, ARMY | | 2,451,952 | | | | 2,451,952 |
| | PROCUREMENT OF AMMUNITION, ARMY | | | | | | |
| | AMMUNITION | | | | | | |
| | SMALL/MEDIUM CALIBER AMMUNITION | | | | | | |
| 001 | CTG, 5.56MM, ALL TYPES | | 207,752 | | | | 207,752 |
| 002 | CTG, 7.62MM, ALL TYPES | | 77,602 | | | | 77,602 |
| 003 | CTG, HANDGUN, ALL TYPES | | 5,120 | | | | 5,120 |
| 004 | CTG, .50 CAL, ALL TYPES | | 162,342 | | | | 162,342 |
| 005 | CTG, 25MM, ALL TYPES | | 17,054 | | | | 17,054 |
| 006 | CTG, 30MM, ALL TYPES | | 96,572 | | | | 96,572 |
| 007 | CTG, 40MM, ALL TYPES | | 172,675 | | | | 172,675 |
| | MORTAR AMMUNITION | | | | | | |
| 008 | 60MM MORTAR, ALL TYPES | | 23,607 | | 3,000 | | 26,607 |
| | Additional ammunition | | | | [3,000] | | |
| 009 | 81MM MORTAR, ALL TYPES | | 28,719 | | | | 28,719 |
| 010 | CTG, MORTAR, 120MM, ALL TYPES | | 104,961 | | | | 104,961 |
| | TANK AMMUNITION | | | | | | |
| 011 | CTG TANK 105MM: ALL TYPES | | 7,741 | | | | 7,741 |
| 012 | CTG, TANK, 120MM, ALL TYPES | | 113,483 | | | | 113,483 |
| | ARTILLERY AMMUNITION | | | | | | |
| 013 | CTG, ARTY, 75MM: ALL TYPES | | 5,229 | | | | 5,229 |
| 014 | CTG, ARTY, 105MM: ALL TYPES | | 90,726 | | | | 90,726 |
| 015 | CTG, ARTY, 155MM, ALL TYPES | | 54,546 | | | | 54,546 |
| 016 | PROJ 155MM EXTENDED RANGE XM982 | | 62,292 | | | | 62,292 |
| 017 | MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T | | 33,441 | | | | 33,441 |
| | ARTILLERY FUZES | | | | | | |
| 018 | ARTILLERY FUZES, ALL TYPES | | 19,870 | | | | 19,870 |
| | MINES | | | | | | |
| 019 | MINES, ALL TYPES | | 815 | | | | 815 |
| 020 | MINE, CLEARING CHARGE, ALL TYPES | | | | | | |
| 021 | ANTIPERSONNEL LANDMINE ALTERNATIVES | | 56,387 | | | | 56,387 |
| 022 | INTELLIGENT MUNITIONS SYSTEM (IMS), ALL TYPES | | 19,507 | | | | 19,507 |
| | ROCKETS | | | | | | |
| 023 | SHOULDER LAUNCHED MUNITIONS, ALL TYPES | | 45,302 | | | | 45,302 |
| 024 | ROCKET, HYDRA 70, ALL TYPES | | 99,904 | | | | 99,904 |
| | OTHER AMMUNITION | | | | | | |
| 025 | DEMOLITION MUNITIONS, ALL TYPES | | 18,793 | | | | 18,793 |
| 026 | GRENADES, ALL TYPES | | 49,910 | | | | 49,910 |
| 027 | SIGNALS, ALL TYPES | | 83,094 | | | | 83,094 |
| 028 | SIMULATORS, ALL TYPES | | 12,081 | | | | 12,081 |
| | MISCELLANEOUS | | | | | | |
| 029 | AMMO COMPONENTS, ALL TYPES | | 17,968 | | | | 17,968 |
| 030 | NON-LETHAL AMMUNITION, ALL TYPES | | 7,378 | | | | 7,378 |
| 031 | CAD/PAD ALL TYPES | | 3,353 | | | | 3,353 |
| 032 | ITEMS LESS THAN \$5 MILLION | | 8,826 | | | | 8,826 |
| 033 | AMMUNITION PECULIAR EQUIPMENT | | 11,187 | | | | 11,187 |
| 034 | FIRST DESTINATION TRANSPORTATION (AMMO) | | 14,354 | | | | 14,354 |
| 035 | CLOSEOUT LIABILITIES | | 99 | | | | 99 |
| | AMMUNITION PRODUCTION BASE SUPPORT | | | | | | |
| | PRODUCTION BASE SUPPORT | | | | | | |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|----------------------------------------------------|-----------------|------------------|---------------|--------------|-------------------|------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 036 | PROVISION OF INDUSTRIAL FACILITIES | | 151,943 | | 5,000 | | 156,943 |
| | Bomb line modernization | | | | [5,000] | | |
| 037 | LAYAWAY OF INDUSTRIAL FACILITIES | | 9,529 | | | | 9,529 |
| 038 | MAINTENANCE OF INACTIVE FACILITIES | | 8,772 | | | | 8,772 |
| 039 | CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL .. | | 145,777 | | | | 145,777 |
| 040 | ARMS INITIATIVE | | 3,184 | | | | 3,184 |
| | TOTAL—PROCUREMENT OF AMMUNITION, ARMY | | 2,051,895 | | 8,000 | | 2,059,895 |
| | OTHER PROCUREMENT, ARMY | | | | | | |
| | TACTICAL AND SUPPORT VEHICLES | | | | | | |
| | TACTICAL VEHICLES | | | | | | |
| 001 | TACTICAL TRAILERS/DOLLY SETS | 8037 | 95,893 | | | 8037 | 95,893 |
| 002 | SEMITRAILERS, FLATBED: | 290 | 20,870 | | | 290 | 20,870 |
| 003 | SEMITRAILERS, TANKERS | 70 | 13,217 | | | 70 | 13,217 |
| 004 | H1 MOB MULTI-PURP WHLD VEH (HMMWV) | 1770 | 281,123 | | | 1770 | 281,123 |
| 005 | FAMILY OF MEDIUM TACTICAL VEH (FMTV) | 3889 | 1,158,522 | | | 3889 | 1,158,522 |
| 006 | FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMEN | | 17,575 | | | | 17,575 |
| 007 | FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) | | 812,918 | | | | 812,918 |
| 008 | PLS ESP | | 18,973 | | | | 18,973 |
| 009 | ARMORED SECURITY VEHICLES (ASV) | 150 | 136,605 | | | 150 | 136,605 |
| 010 | MINE PROTECTION VEHICLE FAMILY | | 402,517 | | -90,000 | | 312,517 |
| | Reassessment of program requirement | | | | [-90,000] | | |
| 011 | FAMILY OF MINE RESISTANT AMBUSH PROTEC (MRAP) | | | | | | |
| 012 | TRUCK, TRACTOR, LINE HAUL, M915/M916 | 310 | 74,703 | | | 310 | 74,703 |
| 013 | HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV P | | 180,793 | | | | 180,793 |
| 014 | HMMWV RECAPITALIZATION PROGRAM | | 2,904 | | | | 2,904 |
| 015 | MODIFICATION OF IN-SVC EQUIP | | 10,314 | | | | 10,314 |
| 016 | ITEMS LESS THAN \$5.0M (TAC VEH) | | 298 | | | | 298 |
| 017 | TOWING DEVICE-FIFTH WHEEL | | 414 | | | | 414 |
| | NON-TACTICAL VEHICLES | | | | | | |
| 018 | HEAVY ARMORED SEDAN | | 1,980 | | | | 1,980 |
| 019 | PASSENGER CARRYING VEHICLES | | 269 | | | | 269 |
| 020 | NONTACTICAL VEHICLES, OTHER | | 3,052 | | | | 3,052 |
| | COMMUNICATIONS AND ELECTRONICS EQUIPMENT | | | | | | |
| | COMM-JOINT COMMUNICATIONS | | | | | | |
| 021 | COMBAT IDENTIFICATION PROGRAM | | | | | | |
| 022 | JOINT COMBAT IDENTIFICATION MARKING SYSTEM | | 11,868 | | | | 11,868 |
| 023 | WIN-T—GROUND FORCES TACTICAL NETWORK | | 544,202 | | | | 544,202 |
| 024 | JCSE EQUIPMENT (USREDCOM) | | 4,868 | | | | 4,868 |
| | COMM—SATELLITE COMMUNICATIONS | | | | | | |
| 025 | DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS (S | | 145,108 | | | | 145,108 |
| 026 | SHF TERM | | 90,918 | | | | 90,918 |
| 027 | SAT TERM, EMUT (SPACE) | | 653 | | | | 653 |
| 028 | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE) | | 72,735 | | | | 72,735 |
| 029 | SMART-T (SPACE) | | 61,116 | | | | 61,116 |
| 030 | SCAMP (SPACE) | | 1,834 | | | | 1,834 |
| 031 | GLOBAL BRDCST SVC—GBS | | 6,849 | | | | 6,849 |
| 032 | MOD OF IN-SVC EQUIP (TAC SAT) | | 2,862 | | | | 2,862 |
| | COMM—COMBAT SUPPORT COMM | | | | | | |
| 032A | MOD-IN-SERVICE PROFILER | | | | | | |
| | COMM—C3 SYSTEM | | | | | | |
| 033 | ARMY GLOBAL CMD & CONTROL SYS (AGCCS) | | 22,996 | | | | 22,996 |
| | COMM—COMBAT COMMUNICATIONS | | | | | | |
| 034 | ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO) | | 1,705 | | | | 1,705 |
| 035 | JOINT TACTICAL RADIO SYSTEM | | 90,204 | | -55,200 | | 35,004 |
| | Testing delays in JTRS GMR | | | | [-55,200] | | |
| 036 | RADIO TERMINAL SET, MIDS LVT(2) | | 8,549 | | | | 8,549 |
| 037 | SINGGARS FAMILY | | 6,812 | | | | 6,812 |
| 038 | AMC CRITICAL ITEMS—OPA2 | | | | | | |
| 038A | SINGGARS—GROUND | | | | | | |
| 039 | MULTI-PURPOSE INFORMATIONS OPERATIONS SYSEMS | | 6,164 | | | | 6,164 |
| 040 | BRIDGE TO FUTURE NETWORKS | | | | | | |
| 041 | COMMS-ELEC EQUIP FIELDING | | | | | | |
| 042 | SPIDER APLA REMOTE CONTROL UNIT | | 21,820 | | | | 21,820 |
| 043 | IMS REMOTE CONTROL UNIT | | 9,256 | | | | 9,256 |
| 044 | SOLDIER ENHANCEMENT PROGRAM COMM/ELEC- | | 4,646 | | | | 4,646 |
| | TRONICS. | | | | | | |
| 045 | COMBAT SURVIVOR EVADER LOCATOR (CSEL) | | 2,367 | | | | 2,367 |
| 046 | RADIO, IMPROVED HF (COTS) FAMILY | | 6,555 | | | | 6,555 |
| 047 | MEDICAL COMM FOR CBT CASUALTY CARE (MC4) | | 18,583 | | | | 18,583 |
| | COMM—INTELLIGENCE COMM | | | | | | |
| 048 | CI AUTOMATION ARCHITECTURE (MIP) | | 1,414 | | | | 1,414 |
| | INFORMATION SECURITY | | | | | | |
| 049 | TSEC—ARMY KEY MGT SYS (AKMS) | | 29,525 | | | | 29,525 |
| 050 | INFORMATION SYSTEM SECURITY PROGRAM—ISSP | | 33,189 | | | | 33,189 |
| | COMM—LONG HAUL COMMUNICATIONS | | | | | | |
| 051 | TERRESTRIAL TRANSMISSION | | 1,890 | | | | 1,890 |
| 052 | BASE SUPPORT COMMUNICATIONS | | 25,525 | | | | 25,525 |
| 053 | ELECTROMAG COMP PROG (EMCP) | | | | | | |
| 054 | WW TECH CON IMP PROG (WWTCIP) | | 31,256 | | | | 31,256 |
| | COMM—BASE COMMUNICATIONS | | | | | | |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|----------------------------------------------------------------------------------------|-----------------|---------|---------------|------------|-------------------|---------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 055 | INFORMATION SYSTEMS | | 216,057 | | | | 216,057 |
| 056 | DEFENSE MESSAGE SYSTEM (DMS) | | 6,203 | | | | 6,203 |
| 057 | INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM (.....) | | 147,111 | | | | 147,111 |
| 058 | PENTAGON INFORMATION MGT AND TELECOM | | 39,906 | | | | 39,906 |
| | ELECT EQUIP—TACT INT REL ACT (TIARA) | | | | | | |
| 061 | ALL SOURCE ANALYSIS SYS (ASAS) (MIP) | | | | | | |
| 062 | JTT/CIBS-M (MIP) | | 3,279 | | | | 3,279 |
| 063 | PROPHET GROUND (MIP) | | 64,498 | | | | 64,498 |
| 064 | TACTICAL UNMANNED AERIAL SYS (TUAS) MIP | | | | | | |
| 065 | SMALL UNMANNED AERIAL SYSTEM (SUAS) | | | | | | |
| 066 | DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP) | | | | | | |
| 067 | DRUG INTERDICTION PROGRAM (DIP) (TIARA) | | | | | | |
| 068 | TACTICAL EXPLOITATION SYSTEM (MIP) | | | | | | |
| 069 | DCGS-A (MIP) | | 85,354 | | | | 85,354 |
| 070 | JOINT TACTICAL GROUND STATION (JTGS) | | 6,703 | | -6,700 | | 3 |
| | Program reduction | | | | [-6,700] | | |
| 071 | TROJAN (MIP) | | 26,659 | | | | 26,659 |
| 072 | MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) | | 7,021 | | | | 7,021 |
| 073 | CI HUMINT AUTO REPRTING AND COLL (CHARCS) (MIP) | | 4,509 | | | | 4,509 |
| 074 | SEQUOYAH FOREIGN LANGUAGE TRANSLATION SYSTEM | | 6,420 | | | | 6,420 |
| 075 | ITEMS LESS THAN \$5.0M (MIP) | | 17,053 | | | | 17,053 |
| | ELECT EQUIP—ELECTRONIC WARFARE (EW) | | | | | | |
| 076 | LIGHTWEIGHT COUNTER MORTAR RADAR | | 31,661 | | | | 31,661 |
| 077 | WARLOCK | | | | | | |
| 078 | COUNTERINTELLIGENCE/SECURITY COUNTER- MEASURES | | 1,284 | | | | 1,284 |
| 079 | CI MODERNIZATION (MIP) | | 1,221 | | | | 1,221 |
| | ELECT EQUIP—TACTICAL SURV. (TAC SURV) | | | | | | |
| 080 | SENTINEL MODS | | 25,863 | | | | 25,863 |
| 081 | SENSE THROUGH THE WALL (STTW) | | 25,352 | | | | 25,352 |
| 082 | NIGHT VISION DEVICES | | 366,820 | | -100,000 | | 266,820 |
| | Contractor production delays in ENVG line | | | | [-100,000] | | |
| 083 | LONG RANGE ADVANCED SCOUT SURVEILLANCE SYS- TEM | | 133,836 | | | | 133,836 |
| 084 | NIGHT VISION, THERMAL WPN SIGHT | | 313,237 | | | | 313,237 |
| 085 | SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF | | 9,179 | | | | 9,179 |
| 086 | RADIATION MONITORING SYSTEMS | | 2,198 | | | | 2,198 |
| 087 | COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM) | | | | | | |
| 088 | BASE EXPEDITIONARY TARGETING AND SURV SYS | | | | | | |
| 089 | ARTILLERY ACCURACY EQUIP | | 5,838 | | | | 5,838 |
| 090 | MOD OF IN-SVC EQUIP (MMS) | | | | | | |
| 091 | ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE PROFILER | | 1,178 | | | | 1,178 |
| 092 | MOD OF IN-SVC EQUIP (FIREFINDER RADARS) | | 4,766 | | | | 4,766 |
| 093 | FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2) | | 2,801 | | | | 2,801 |
| 094 | JOINT BATTLE COMMAND—PLATFORM (JBC-P) | | 271,979 | | | | 271,979 |
| 095 | LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD COMPUTER BALLISTICS: LHMBC XM32 | | 17,242 | | | | 17,242 |
| 096 | MORTAR FIRE CONTROL SYSTEM | | 59,080 | | | | 59,080 |
| 097 | COUNTERFIRE RADARS | | 15,520 | | | | 15,520 |
| 098 | INTEGRATED MET SYS SENSORS (IMETS)—MIP | | 194,665 | | | | 194,665 |
| 099 | ENHANCED SENSOR & MONITORING SYSTEM | | | | | | |
| 100 | | | 1,944 | | | | 1,944 |
| 101 | ELECT EQUIP—TACTICAL C2 SYSTEMS | | | | | | |
| 102 | TACTICAL OPERATIONS CENTERS | | 29,934 | | | | 29,934 |
| 103 | FIRE SUPPORT C2 FAMILY | | 39,042 | | | | 39,042 |
| 104 | BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC) | | 31,968 | | | | 31,968 |
| 105 | FAAD C2 | | 8,289 | | | | 8,289 |
| 106 | AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD .. | | 62,439 | | | | 62,439 |
| 107 | KNIGHT FAMILY | | 80,831 | | | | 80,831 |
| 108 | LIFE CYCLE SOFTWARE SUPPORT (LCSS) | | 1,778 | | | | 1,778 |
| 109 | AUTOMATIC IDENTIFICATION TECHNOLOGY | | 31,542 | | | | 31,542 |
| 110 | TC AIMS II | | 11,124 | | | | 11,124 |
| 111 | JOINT NETWORK MANAGEMENT SYSTEM (JNMS) | | | | | | |
| 112 | TACTICAL INTERNET MANAGER | | | | | | |
| 113 | NETWORK MANAGEMENT INITIALIZATION AND SERV- ICE | | 53,898 | | | | 53,898 |
| 114 | MANEUVER CONTROL SYSTEM (MCS) | | 77,646 | | | | 77,646 |
| 115 | SINGLE ARMY LOGISTICS ENTERPRISE (SALE) | | 46,861 | | | | 46,861 |
| 116 | RECONNAISSANCE AND SURVEYING INSTRUMENT SET ... | | 11,118 | | | | 11,118 |
| 117 | MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM) (.....) | | 926 | | | | 926 |
| | ELECT EQUIP—AUTOMATION | | | | | | |
| 118 | GENERAL FUND ENTERPRISE BUSINESS SYSTEM | | 85,801 | | | | 85,801 |
| 119 | ARMY TRAINING MODERNIZATION | | 12,823 | | | | 12,823 |
| 120 | AUTOMATED DATA PROCESSING EQUIP | | 254,723 | | | | 254,723 |
| 121 | CSS COMMUNICATIONS | | 33,749 | | | | 33,749 |
| 122 | RESERVE COMPONENT AUTOMATION SYS (RCAS) | | 39,675 | | | | 39,675 |
| | ELECT EQUIP—AUDIO VISUAL SYS (A/V) | | | | | | |
| 123 | AFRTS | | | | | | |
| 124 | ITEMS LESS THAN \$5.0M (A/V) | | 2,709 | | | | 2,709 |
| 125 | ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT) | | 5,172 | | | | 5,172 |

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| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 126 | ELECT EQUIP—MODS TACTICAL SYS/EQ WEAPONIZATION OF UNMANNED AERIAL SYSTEM (UAS) | | | | | | |
| 127 | ELECT EQUIP—SUPPORT ITEMS UNDER \$5M (SSE) | | | | | | |
| 128 | PRODUCTION BASE SUPPORT (C-E) | | 518 | | | | 518 |
| | CLASSIFIED PROGRAMS | | 2,522 | | | | 2,522 |
| | OTHER SUPPORT EQUIPMENT CHEMICAL DEFENSIVE EQUIPMENT | | | | | | |
| 129 | PROTECTIVE SYSTEMS | | 2,081 | | | | 2,081 |
| 130 | CBRN SOLDIER PROTECTION | | 108,334 | | | | 108,334 |
| 131 | SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM) | | 7,135 | | | | 7,135 |
| | BRIDGING EQUIPMENT | | | | | | |
| 132 | TACTICAL BRIDGING | | 58,509 | | | | 58,509 |
| 133 | TACTICAL BRIDGE, FLOAT-RIBBON | | 135,015 | | | | 135,015 |
| | ENGINEER (NON-CONSTRUCTION) EQUIPMENT | | | | | | |
| 134 | HANDHELD STANDOFF MINEFIELD DETECTION SYS- HST. | | 42,264 | | | | 42,264 |
| 135 | GRND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS FIDO explosives detector) | | 56,123 | | 7,000 [7,000] | | 63,123 |
| 136 | EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT) | | 49,333 | | | | 49,333 |
| 137 | < \$5M, COUNTERMINE EQUIPMENT | | 3,479 | | | | 3,479 |
| 138 | AERIAL DETECTION | | 11,200 | | | | 11,200 |
| | COMBAT SERVICE SUPPORT EQUIPMENT | | | | | | |
| 139 | HEATERS AND ECU'S | | 11,924 | | | | 11,924 |
| 140 | LAUNDRIES, SHOWERS AND LATRINES | | | | | | |
| 141 | SOLDIER ENHANCEMENT | | 4,071 | | | | 4,071 |
| 142 | LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME) | | | | | | |
| 142A | LAND WARRIOR | | | | | | |
| 143 | PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) | | 6,981 | | | | 6,981 |
| 144 | GROUND SOLDIER SYSTEM | | 1,809 | | | | 1,809 |
| 145 | MOUNTED SOLDIER SYSTEM | | 1,085 | | | | 1,085 |
| 146 | FORCE PROVIDER | | | | | | |
| 147 | FIELD FEEDING EQUIPMENT | | 57,872 | | | | 57,872 |
| 148 | CARGO AERIAL DEL & PERSONNEL PARACHUTE SYS- TEM. | | 66,381 | | | | 66,381 |
| 149 | MOBILE INTEGRATED REMAINS COLLECTION SYSTEM: | | 16,585 | | | | 16,585 |
| 150 | ITEMS LESS THAN \$5M (ENG SPT) | | 25,531 | | | | 25,531 |
| | PETROLEUM EQUIPMENT | | | | | | |
| 151 | QUALITY SURVEILLANCE EQUIPMENT | | | | | | |
| 152 | DISTRIBUTION SYSTEMS, PETROLEUM & WATER | | 84,019 | | | | 84,019 |
| | WATER EQUIPMENT | | | | | | |
| 153 | WATER PURIFICATION SYSTEMS | | 7,173 | | | | 7,173 |
| | MEDICAL EQUIPMENT | | | | | | |
| 154 | COMBAT SUPPORT MEDICAL | | 33,694 | | 8,300 [8,300] | | 41,994 |
| | Combat casualty care equipment upgrade program | | | | | | |
| | MAINTENANCE EQUIPMENT | | | | | | |
| 155 | MOBILE MAINTENANCE EQUIPMENT SYSTEMS | | 137,002 | | | | 137,002 |
| 156 | ITEMS LESS THAN \$5.0M (MAINT EQ) | | 812 | | | | 812 |
| | CONSTRUCTION EQUIPMENT | | | | | | |
| 157 | GRADER, ROAD MTZD, HVY, 6X4 (CCE) | | 50,897 | | | | 50,897 |
| 158 | SKID STEER LOADER (SSL) FAMILY OF SYSTEM | | 18,387 | | | | 18,387 |
| 159 | SCRAPERS, EARTHMOVING | | | | | | |
| 160 | DISTR. WATER, SP MIN 2500G SEC/NON-SEC | | | | | | |
| 161 | MISSION MODULES—ENGINEERING | | 44,420 | | | | 44,420 |
| 162 | LOADERS | | 20,824 | | | | 20,824 |
| 163 | HYDRAULIC EXCAVATOR | | 18,785 | | | | 18,785 |
| 164 | TRACTOR, FULL TRACKED | | 50,102 | | | | 50,102 |
| 165 | CRANES | | | | | | |
| 166 | PLANT, ASPHALT MIXING | | 12,915 | | | | 12,915 |
| 167 | HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS | | 36,451 | | | | 36,451 |
| 168 | CONST EQUIP ESP | | 8,391 | | | | 8,391 |
| 169 | ITEMS LESS THAN \$5.0M (CONST EQUIP) | | 12,562 | | | | 12,562 |
| | RAIL FLOAT CONTAINERIZATION EQUIPMENT | | | | | | |
| 170 | JOINT HIGH SPEED VESSEL (JHSV) | | 183,666 | | | | 183,666 |
| 171 | HARBORMASTER COMMAND AND CONTROL CENTER (HCCC). | | 10,962 | | | | 10,962 |
| 172 | ITEMS LESS THAN \$5.0M (FLOAT/RAIL) | | 6,785 | | | | 6,785 |
| | GENERATORS | | | | | | |
| 173 | GENERATORS AND ASSOCIATED EQUIP | | 146,067 | | | | 146,067 |
| | MATERIAL HANDLING EQUIPMENT | | | | | | |
| 174 | ROUGH TERRAIN CONTAINER HANDLER (RTCH) | | 41,239 | | | | 41,239 |
| 175 | ALL TERRAIN LIFTING ARMY SYSTEM | | 44,898 | | | | 44,898 |
| | TRAINING EQUIPMENT | | | | | | |
| 176 | COMBAT TRAINING CENTERS SUPPORT | | 22,967 | | | | 22,967 |
| 177 | TRAINING DEVICES, NONSYSTEM | | 261,348 | | 22,440 [5,000] | | 283,788 |
| | Operator driving simulator | | | | [5,500] | | |
| | Immersive group simulation virtual training system | | | | [5,000] | | |
| | Joint fires & effects training systems (JFETS) | | | | [2,000] | | |
| | Urban training instrumentation | | | | [4,940] | | |
| | Virtual interactive combat environment (VICE) | | | | | | |
| 178 | CLOSE COMBAT TACTICAL TRAINER | | 65,155 | | | | 65,155 |
| 179 | AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA | | 12,794 | | | | 12,794 |

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| 180 | GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING TEST MEASURE AND DIG EQUIPMENT (TMD) | | 7,870 | | | | 7,870 |
| 181 | CALIBRATION SETS EQUIPMENT | | 16,844 | | | | 16,844 |
| 182 | INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) | | 101,320 | | | | 101,320 |
| 183 | TEST EQUIPMENT MODERNIZATION (TEMOD) | | 15,526 | | | | 15,526 |
| | OTHER SUPPORT EQUIPMENT | | | | | | |
| 184 | RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT | | 21,770 | | | | 21,770 |
| 185 | PHYSICAL SECURITY SYSTEMS (OPA3) | | 49,758 | | | | 49,758 |
| 186 | BASE LEVEL COM'L EQUIPMENT | | 1,303 | | | | 1,303 |
| 187 | MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) | | 53,884 | | | | 53,884 |
| 188 | PRODUCTION BASE SUPPORT (OTH) | | 3,050 | | | | 3,050 |
| 189 | BUILDING, PRE-FAB, RELOCATABLE | | | | | | |
| 190 | SPECIAL EQUIPMENT FOR USER TESTING | | 45,516 | | | | 45,516 |
| 191 | AMC CRITICAL ITEMS OPA3 | | 12,232 | | | | 12,232 |
| 192 | MA8975 | | 4,492 | | | | 4,492 |
| | SPARES AND REPAIR PARTS | | | | | | |
| | OPA2 | | | | | | |
| 193 | INITIAL SPARES—C&E | | 25,867 | | | | 25,867 |
| 194 | WIN-T INCREMENT 2 SPARES | | 9,758 | | | | 9,758 |
| 194a | Procurement of computer services/systems | | | | -75,000 | | -75,000 |
| | Eliminate redundant activities | | | | [-75,000] | | |
| | TOTAL—OTHER PROCUREMENT, ARMY | | 9,907,151 | | -289,160 | | 9,617,991 |
| | JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND | | | | | | |
| | NETWORK ATTACK | | | | | | |
| 001 | ATTACK THE NETWORK | | 203,100 | | -203,100 | | |
| | Transfer to OCO | | | | [-203,100] | | |
| | JIEDDO DEVICE DEFEAT | | | | | | |
| 002 | DEFEAT THE DEVICE | | 199,100 | | -199,100 | | |
| | Transfer to OCO | | | | [-199,100] | | |
| | FORCE TRAINING | | | | | | |
| 003 | TRAIN THE FORCE | | 41,100 | | -41,100 | | |
| | Transfer to OCO | | | | [-41,100] | | |
| | STAFF AND INFRASTRUCTURE | | | | | | |
| 004 | OPERATIONS | | 121,550 | | -121,550 | | |
| | Transfer to OCO | | | | [-121,550] | | |
| | TOTAL—JOINT IED DEFEAT FUND | | 564,850 | | -564,850 | | |
| | AIRCRAFT PROCUREMENT, NAVY | | | | | | |
| | COMBAT AIRCRAFT | | | | | | |
| 001 | AV-8B (V/STOL) HARRIER | | | | | | |
| 002 | EA-18G | 22 | 1,611,837 | | | 22 | 1,611,837 |
| 003 | ADVANCE PROCUREMENT (CY) | | 20,559 | | | | 20,559 |
| 004 | F/A-18E/F (FIGHTER) HORNET | 9 | 1,009,537 | 9 | 560,000 | 18 | 1,569,537 |
| | Additional aircraft | | | | [560,000] | | |
| 005 | ADVANCE PROCUREMENT (CY) | | 51,431 | | | | 51,431 |
| 006 | JOINT STRIKE FIGHTER | 20 | 3,997,048 | | | 20 | 3,997,048 |
| 007 | ADVANCE PROCUREMENT (CY) | | 481,000 | | | | 481,000 |
| 008 | V-22 (MEDIUM LIFT) | 30 | 2,215,829 | | | 30 | 2,215,829 |
| 009 | ADVANCE PROCUREMENT (CY) | | 84,342 | | | | 84,342 |
| 010 | UH-1Y/AH-1Z | 28 | 709,801 | -10 | -282,900 | 18 | 426,901 |
| | Maintain production at FY 09 level | | | | [-282,900] | | |
| 011 | ADVANCE PROCUREMENT (CY) | | 70,550 | | | | 70,550 |
| 012 | MH-60S (MYP) | 18 | 414,145 | | | 18 | 414,145 |
| 013 | ADVANCE PROCUREMENT (CY) | | 78,830 | | | | 78,830 |
| 014 | MH-60R | 24 | 811,781 | | | 24 | 811,781 |
| 015 | ADVANCE PROCUREMENT (CY) | | 131,504 | | | | 131,504 |
| 016 | P-8A POSEIDON | 6 | 1,664,525 | | | 6 | 1,664,525 |
| 017 | ADVANCE PROCUREMENT (CY) | | 160,526 | | | | 160,526 |
| 018 | E-2D ADV HAWKEYE | 2 | 511,245 | | | 2 | 511,245 |
| 019 | ADVANCE PROCUREMENT (CY) | | 94,924 | | | | 94,924 |
| | AIRLIFT AIRCRAFT | | | | | | |
| 020 | C-40A | 1 | 74,381 | | | 1 | 74,381 |
| | TRAINER AIRCRAFT | | | | | | |
| 021 | T-45TS (TRAINER) GOSHAWK | | | | | | |
| 022 | JPATS | 38 | 266,539 | | | 38 | 266,539 |
| | OTHER AIRCRAFT | | | | | | |
| 023 | KC-130J | | | | | | |
| 024 | ADVANCE PROCUREMENT (CY) | | | | | | |
| 025 | RQ-7 UAV | 11 | 56,797 | | | 11 | 56,797 |
| 026 | MQ-8 UAV | 5 | 77,616 | | | 5 | 77,616 |
| 027 | OTHER SUPPORT AIRCRAFT | | | | | | |
| | MODIFICATION OF AIRCRAFT | | | | | | |
| 028 | EA-6 SERIES | | 39,977 | | | | 39,977 |
| 029 | AV-8 SERIES | | 35,668 | | | | 35,668 |
| 030 | F-18 SERIES | | 484,129 | | | | 484,129 |
| 031 | H-46 SERIES | | 35,325 | | | | 35,325 |
| 032 | AH-1W SERIES | | 66,461 | | | | 66,461 |
| 033 | H-53 SERIES | | 68,197 | | | | 68,197 |
| 034 | SH-60 SERIES | | 82,253 | | | | 82,253 |

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| 035 | H-1 SERIES | | 20,040 | | | | 20,040 |
| 036 | EP-3 SERIES | | 92,530 | | | | 92,530 |
| 037 | P-3 SERIES | | 485,171 | | | | 485,171 |
| 038 | S-3 SERIES | | | | | | |
| 039 | E-2 SERIES | | 22,853 | | | | 22,853 |
| 040 | TRAINER A/C SERIES | | 20,907 | | | | 20,907 |
| 041 | C-2A | | 21,343 | | | | 21,343 |
| 042 | C-130 SERIES | | 22,449 | | | | 22,449 |
| 043 | FEWSG | | 9,486 | | | | 9,486 |
| 044 | CARGO/TRANSPORT A/C SERIES | | 19,429 | | | | 19,429 |
| 045 | E-6 SERIES | | 102,646 | | | | 102,646 |
| 046 | EXECUTIVE HELICOPTERS SERIES | | 42,456 | | | | 42,456 |
| 047 | SPECIAL PROJECT AIRCRAFT | | 14,869 | | | | 14,869 |
| 048 | T-45 SERIES | | 51,484 | | | | 51,484 |
| 049 | POWER PLANT CHANGES | | 26,395 | | | | 26,395 |
| 050 | JPATS SERIES | | 4,922 | | | | 4,922 |
| 051 | AVIATION LIFE SUPPORT MODS | | 5,594 | | | | 5,594 |
| 052 | COMMON ECM EQUIPMENT | | 47,419 | | | | 47,419 |
| 053 | COMMON AVIONICS CHANGES | | 151,112 | | | | 151,112 |
| 054 | COMMON DEFENSIVE WEAPON SYSTEM | | | | | | |
| 055 | ID SYSTEMS | | 24,125 | | | | 24,125 |
| 056 | V-22 (TILT/ROTOR ACFT) OSPREY | | 24,502 | | | | 24,502 |
| | AIRCRAFT SPARES AND REPAIR PARTS | | | | | | |
| 057 | SPARES AND REPAIR PARTS | | 1,264,012 | | | | 1,264,012 |
| | AIRCRAFT SUPPORT EQUIP & FACILITIES | | | | | | |
| 058 | COMMON GROUND EQUIPMENT | | 363,588 | | | | 363,588 |
| 059 | AIRCRAFT INDUSTRIAL FACILITIES | | 11,075 | | | | 11,075 |
| 060 | WAR CONSUMABLES | | 55,406 | | | | 55,406 |
| 061 | OTHER PRODUCTION CHARGES | | 23,861 | | | | 23,861 |
| 062 | SPECIAL SUPPORT EQUIPMENT | | 42,147 | | | | 42,147 |
| 063 | FIRST DESTINATION TRANSPORTATION | | 1,734 | | | | 1,734 |
| 064 | CANCELLED ACCOUNT ADJUSTMENTS | | | | | | |
| | TOTAL—AIRCRAFT PROCUREMENT, NAVY | | 18,378,312 | | 277,100 | | 18,655,412 |
| | WEAPONS PROCUREMENT, NAVY | | | | | | |
| | BALLISTIC MISSILES | | | | | | |
| | MODIFICATION OF MISSILES | | | | | | |
| 001 | TRIDENT II MODS | 24 | 1,060,504 | | | 24 | 1,060,504 |
| | SUPPORT EQUIPMENT & FACILITIES | | | | | | |
| 002 | MISSILE INDUSTRIAL FACILITIES | | 3,447 | | | | 3,447 |
| | OTHER MISSILES | | | | | | |
| | STRATEGIC MISSILES | | | | | | |
| 003 | TOMAHAWK | 196 | 283,055 | | | 196 | 283,055 |
| | TACTICAL MISSILES | | | | | | |
| 004 | AMRAAM | 79 | 145,506 | | | 79 | 145,506 |
| 005 | SIDEWINDER | 161 | 56,845 | | | 161 | 56,845 |
| 006 | JSOW | 430 | 145,336 | | | 430 | 145,336 |
| 007 | SLAM-ER | | | | | | |
| 008 | STANDARD MISSILE | 62 | 249,233 | | | 62 | 249,233 |
| 009 | RAM | 90 | 74,784 | | | 90 | 74,784 |
| 010 | HELLFIRE | 818 | 59,411 | | | 818 | 59,411 |
| 011 | AERIAL TARGETS | | 47,003 | | | | 47,003 |
| 012 | OTHER MISSILE SUPPORT | | 3,928 | | | | 3,928 |
| | MODIFICATION OF MISSILES | | | | | | |
| 013 | ESSM | 50 | 51,388 | | | 50 | 51,388 |
| 014 | HARM MODS | | 47,973 | | | | 47,973 |
| 015 | STANDARD MISSILES MODS | | 81,451 | | | | 81,451 |
| | SUPPORT EQUIPMENT & FACILITIES | | | | | | |
| 016 | WEAPONS INDUSTRIAL FACILITIES | | 3,211 | | 30,000 | | 33,211 |
| | Accelerate facility restoration program | | | | [30,000] | | |
| 017 | FLEET SATELLITE COMM FOLLOW-ON | 1 | 487,280 | | | 1 | 487,280 |
| 018 | ADVANCE PROCUREMENT (CY) | | 28,847 | | 32,000 | | 60,847 |
| | MUOS UHF augmentation—transfer from PE 33109N (RDN 192). | | | | [32,000] | | |
| | ORDNANCE SUPPORT EQUIPMENT | | | | | | |
| 019 | ORDNANCE SUPPORT EQUIPMENT | | 48,883 | | | | 48,883 |
| | TORPEDOES AND RELATED EQUIPMENT | | | | | | |
| | TORPEDOES AND RELATED EQUIP. | | | | | | |
| 020 | SSTD | | | | | | |
| 021 | ASW TARGETS | | 9,288 | | | | 9,288 |
| | MOD OF TORPEDOES AND RELATED EQUIP | | | | | | |
| 022 | MK-46 TORPEDO MODS | | 94,159 | | | | 94,159 |
| 023 | MK-48 TORPEDO ADCAP MODS | | 61,608 | | | | 61,608 |
| 024 | QUICKSTRIKE MINE | | 4,680 | | | | 4,680 |
| | SUPPORT EQUIPMENT | | | | | | |
| 025 | TORPEDO SUPPORT EQUIPMENT | | 39,869 | | | | 39,869 |
| 026 | ASW RANGE SUPPORT | | 10,044 | | | | 10,044 |
| | DESTINATION TRANSPORTATION | | | | | | |
| 027 | FIRST DESTINATION TRANSPORTATION | | 3,434 | | | | 3,434 |
| | OTHER WEAPONS | | | | | | |
| | GUNS AND GUN MOUNTS | | | | | | |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|------------------------------------------------------------------|-----------------|------------------|---------------|---------------|-------------------|------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 028 | SMALL ARMS AND WEAPONS | | 12,742 | | | | 12,742 |
| | MODIFICATION OF GUNS AND GUN MOUNTS | | | | | | |
| 029 | CIWS MODS | | 158,896 | | | | 158,896 |
| 030 | COAST GUARD WEAPONS | | 21,157 | | | | 21,157 |
| 031 | GUN MOUNT MODS | | 30,761 | | | | 30,761 |
| 032 | LCS MODULE WEAPONS | | | | | | |
| 033 | CRUISER MODERNIZATION WEAPONS | | 51,227 | | | | 51,227 |
| 034 | AIRBORNE MINE NEUTRALIZATION SYSTEMS | | 12,309 | | | | 12,309 |
| | OTHER | | | | | | |
| 035 | MARINE CORPS TACTICAL UNMANNED AERIAL SYSTEM | | | | | | |
| 036 | CANCELLED ACCOUNT ADJUSTMENTS | | | | | | |
| | SPARES AND REPAIR PARTS | | | | | | |
| 037 | SPARES AND REPAIR PARTS | | 65,196 | | | | 65,196 |
| | TOTAL—WEAPONS PROCUREMENT, NAVY | | 3,453,455 | | 62,000 | | 3,515,455 |
| | PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS | | | | | | |
| | PROC AMMO, NAVY | | | | | | |
| | NAVY AMMUNITION | | | | | | |
| 001 | GENERAL PURPOSE BOMBS | | 75,227 | | | | 75,227 |
| 002 | JDAM | | 1,968 | | | | 1,968 |
| 003 | AIRBORNE ROCKETS, ALL TYPES | | 38,643 | | | | 38,643 |
| 004 | MACHINE GUN AMMUNITION | | 19,622 | | | | 19,622 |
| 005 | PRACTICE BOMBS | | 33,803 | | | | 33,803 |
| 006 | CARTRIDGES & CART ACTUATED DEVICES | | 50,600 | | | | 50,600 |
| 007 | AIR EXPENDABLE COUNTERMEASURES | | 79,102 | | | | 79,102 |
| 008 | JATOS | | 3,230 | | | | 3,230 |
| 009 | 5 INCH/54 GUN AMMUNITION | | 27,483 | | | | 27,483 |
| 010 | INTERMEDIATE CALIBER GUN AMMUNITION | | 25,974 | | | | 25,974 |
| 011 | OTHER SHIP GUN AMMUNITION | | 35,934 | | | | 35,934 |
| 012 | SMALL ARMS & LANDING PARTY AMMO | | 43,490 | | | | 43,490 |
| 013 | PYROTECHNIC AND DEMOLITION | | 10,623 | | | | 10,623 |
| 014 | AMMUNITION LESS THAN \$5 MILLION | | 3,214 | | | | 3,214 |
| | PROC AMMO, MC | | | | | | |
| | MARINE CORPS AMMUNITION | | | | | | |
| 015 | SMALL ARMS AMMUNITION | | 87,781 | | | | 87,781 |
| 016 | LINEAR CHARGES, ALL TYPES | | 23,582 | | | | 23,582 |
| 017 | 40 MM, ALL TYPES | | 57,291 | | | | 57,291 |
| 018 | 60MM, ALL TYPES | | 22,037 | | | | 22,037 |
| 019 | 81MM, ALL TYPES | | 54,869 | | | | 54,869 |
| 020 | 120MM, ALL TYPES | | 29,579 | | | | 29,579 |
| 021 | CTG 25MM, ALL TYPES | | 2,259 | | | | 2,259 |
| 022 | GRENADES, ALL TYPES | | 10,694 | | | | 10,694 |
| 023 | ROCKETS, ALL TYPES | | 13,948 | | | | 13,948 |
| 024 | ARTILLERY, ALL TYPES | | 57,948 | | | | 57,948 |
| 025 | EXPEDITIONARY FIGHTING VEHICLE | | | | | | |
| 026 | DEMOLITION MUNITIONS, ALL TYPES | | 14,886 | | | | 14,886 |
| 027 | FUZE, ALL TYPES | | 575 | | | | 575 |
| 028 | NON LETHALS | | 3,034 | | | | 3,034 |
| 029 | AMMO MODERNIZATION | | 8,886 | | | | 8,886 |
| 030 | ITEMS LESS THAN \$5 MILLION | | 4,393 | | | | 4,393 |
| | TOTAL—PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS. | | 840,675 | | | | 840,675 |
| | SHIPBUILDING AND CONVERSION, NAVY | | | | | | |
| | OTHER WARSHIPS | | | | | | |
| 001 | CARRIER REPLACEMENT PROGRAM | | 739,269 | | | | 739,269 |
| 002 | ADVANCE PROCUREMENT (CY) | | 484,432 | | | | 484,432 |
| 003 | VIRGINIA CLASS SUBMARINE | 1 | 1,964,317 | | | 1 | 1,964,317 |
| 004 | ADVANCE PROCUREMENT (CY) | | 1,959,725 | | | | 1,959,725 |
| 005 | CVN REFUELING OVERHAULS | | 1,563,602 | | | | 1,563,602 |
| 006 | ADVANCE PROCUREMENT (CY) | | 211,820 | | | | 211,820 |
| 007 | SSBN ERO | | | | | | |
| 008 | ADVANCE PROCUREMENT (CY) | | | | | | |
| 009 | DDG 1000 | | 1,084,161 | | | | 1,084,161 |
| 010 | ADVANCE PROCUREMENT (CY) | | | | | | |
| 011 | DDG-51 | 1 | 1,912,267 | | | 1 | 1,912,267 |
| 012 | ADVANCE PROCUREMENT (CY) | | 328,996 | | | | 328,996 |
| 013 | LITTORAL COMBAT SHIP | 3 | 1,380,000 | | | 3 | 1,380,000 |
| | AMPHIBIOUS SHIPS | | | | | | |
| 014 | LPD-17 | | 872,392 | | | | 872,392 |
| 015 | ADVANCE PROCUREMENT (CY) | | 184,555 | | | | 184,555 |
| 016 | LHA REPLACEMENT | | | | | | |
| 017 | ADVANCE PROCUREMENT (CY) | | | | | | |
| 018 | INTRATHEATER CONNECTOR | 1 | 177,956 | | | 1 | 177,956 |
| | AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST | | | | | | |
| 019 | OUTFITTING | | 391,238 | | | | 391,238 |
| 020 | SERVICE CRAFT | | 3,694 | | | | 3,694 |
| 021 | LCAC SLEP | 3 | 63,857 | | | 3 | 63,857 |
| 022 | COMPLETION OF PY SHIPBUILDING PROGRAMS | | 454,586 | | | | 454,586 |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|------------------------------------------------------|-----------------|-------------------|---------------|---------|-------------------|-------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| | TOTAL—SHIPBUILDING AND CONVERSION, NAVY | | 13,776,867 | | | | 13,776,867 |
| | OTHER PROCUREMENT, NAVY | | | | | | |
| | SHIPS SUPPORT EQUIPMENT | | | | | | |
| | SHIP PROPULSION EQUIPMENT | | | | | | |
| 001 | LM-2500 GAS TURBINE | | 8,014 | | | | 8,014 |
| 002 | ALLISON 501K GAS TURBINE | | 9,162 | | | | 9,162 |
| 003 | OTHER PROPULSION EQUIPMENT | | | | | | |
| | NAVIGATION EQUIPMENT | | | | | | |
| 004 | OTHER NAVIGATION EQUIPMENT | | 34,743 | | | | 34,743 |
| | PERISCOPES | | | | | | |
| 005 | SUB PERISCOPES & IMAGING EQUIP | | 75,127 | | | | 75,127 |
| | OTHER SHIPBOARD EQUIPMENT | | | | | | |
| 006 | DDG MOD | | 142,262 | | | | 142,262 |
| 007 | FIREFIGHTING EQUIPMENT | | 11,423 | | 4,000 | | 15,423 |
| | Smart valves for fire suppression | | | | [4,000] | | |
| 008 | COMMAND AND CONTROL SWITCHBOARD | | 4,383 | | | | 4,383 |
| 009 | POLLUTION CONTROL EQUIPMENT | | 24,992 | | | | 24,992 |
| 010 | SUBMARINE SUPPORT EQUIPMENT | | 16,867 | | | | 16,867 |
| 011 | VIRGINIA CLASS SUPPORT EQUIPMENT | | 103,153 | | | | 103,153 |
| 012 | SUBMARINE BATTERIES | | 51,482 | | | | 51,482 |
| 013 | STRATEGIC PLATFORM SUPPORT EQUIP | | 15,672 | | | | 15,672 |
| 014 | DSSP EQUIPMENT | | 10,641 | | | | 10,641 |
| 015 | CG MODERNIZATION | | 315,323 | | | | 315,323 |
| 016 | LCAC | | 6,642 | | | | 6,642 |
| 017 | MINESWEEPING EQUIPMENT | | | | | | |
| 018 | UNDERWATER EOD PROGRAMS | | 19,232 | | | | 19,232 |
| 019 | ITEMS LESS THAN \$5 MILLION | | 127,554 | | | | 127,554 |
| 020 | CHEMICAL WARFARE DETECTORS | | 8,899 | | | | 8,899 |
| 021 | SUBMARINE LIFE SUPPORT SYSTEM | | 14,721 | | | | 14,721 |
| | REACTOR PLANT EQUIPMENT | | | | | | |
| 022 | REACTOR POWER UNITS | | | | | | |
| 023 | REACTOR COMPONENTS | | 262,354 | | | | 262,354 |
| | OCEAN ENGINEERING | | | | | | |
| 024 | DIVING AND SALVAGE EQUIPMENT | | 5,304 | | | | 5,304 |
| | SMALL BOATS | | | | | | |
| 025 | STANDARD BOATS | | 35,318 | | | | 35,318 |
| | TRAINING EQUIPMENT | | | | | | |
| 026 | OTHER SHIPS TRAINING EQUIPMENT | | 15,113 | | | | 15,113 |
| | PRODUCTION FACILITIES EQUIPMENT | | | | | | |
| 027 | OPERATING FORCES IPE | | 47,172 | | | | 47,172 |
| | OTHER SHIP SUPPORT | | | | | | |
| 028 | NUCLEAR ALTERATIONS | | 136,683 | | | | 136,683 |
| 029 | LCS MODULES | | 137,259 | | | | 137,259 |
| | LOGISTIC SUPPORT | | | | | | |
| 030 | LSD MIDLIFE | | 117,856 | | | | 117,856 |
| | COMMUNICATIONS AND ELECTRONICS EQUIPMENT | | | | | | |
| | SHIP RADARS | | | | | | |
| 031 | RADAR SUPPORT | | 9,968 | | | | 9,968 |
| 032 | SPQ-9B RADAR | | 13,476 | | | | 13,476 |
| 033 | AN/SQQ-89 SURF ASW COMBAT SYSTEM | | 111,093 | | | | 111,093 |
| 034 | SSN ACOUSTICS | | 299,962 | | 4,000 | | 303,962 |
| | TB-33 thinline towed array | | | | [4,000] | | |
| 035 | UNDERSEA WARFARE SUPPORT EQUIPMENT | | 38,705 | | | | 38,705 |
| 036 | SONAR SWITCHES AND TRANSDUCERS | | 13,537 | | | | 13,537 |
| | ASW ELECTRONIC EQUIPMENT | | | | | | |
| 037 | SUBMARINE ACOUSTIC WARFARE SYSTEM | | 20,681 | | | | 20,681 |
| 038 | SSTD | | 2,184 | | | | 2,184 |
| 039 | FIXED SURVEILLANCE SYSTEM | | 63,017 | | | | 63,017 |
| 040 | SURTASS | | 24,108 | | | | 24,108 |
| 041 | TACTICAL SUPPORT CENTER | | 22,464 | | | | 22,464 |
| | ELECTRONIC WARFARE EQUIPMENT | | | | | | |
| 042 | AN/SLQ-32 | | 34,264 | | | | 34,264 |
| | RECONNAISSANCE EQUIPMENT | | | | | | |
| 043 | SHIPBOARD IW EXPLOIT | | 105,883 | | | | 105,883 |
| | SUBMARINE SURVEILLANCE EQUIPMENT | | | | | | |
| 044 | SUBMARINE SUPPORT EQUIPMENT PROG | | 98,645 | | | | 98,645 |
| | OTHER SHIP ELECTRONIC EQUIPMENT | | | | | | |
| 045 | NAVY TACTICAL DATA SYSTEM | | | | | | |
| 046 | COOPERATIVE ENGAGEMENT CAPABILITY | | 30,522 | | | | 30,522 |
| 047 | GCCS-M EQUIPMENT | | 13,594 | | | | 13,594 |
| 048 | NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) | | 35,933 | | | | 35,933 |
| 049 | ATDLS | | 7,314 | | | | 7,314 |
| 050 | MINESWEEPING SYSTEM REPLACEMENT | | 79,091 | | | | 79,091 |
| 051 | SHALLOW WATER MCM | | 7,835 | | | | 7,835 |
| 052 | NAVSTAR GPS RECEIVERS (SPACE) | | 10,845 | | | | 10,845 |
| 053 | ARMED FORCES RADIO AND TV | | 3,333 | | | | 3,333 |
| 054 | STRATEGIC PLATFORM SUPPORT EQUIP | | 4,149 | | | | 4,149 |
| | TRAINING EQUIPMENT | | | | | | |
| 055 | OTHER TRAINING EQUIPMENT | | 36,784 | | | | 36,784 |
| | AVIATION ELECTRONIC EQUIPMENT | | | | | | |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|---------------------------------------------|-----------------|---------|---------------|------|-------------------|---------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 056 | MATCALS | | 17,468 | | | | 17,468 |
| 057 | SHIPBOARD AIR TRAFFIC CONTROL | | 7,970 | | | | 7,970 |
| 058 | AUTOMATIC CARRIER LANDING SYSTEM | | 18,878 | | | | 18,878 |
| 059 | NATIONAL AIR SPACE SYSTEM | | 28,988 | | | | 28,988 |
| 060 | AIR STATION SUPPORT EQUIPMENT | | 8,203 | | | | 8,203 |
| 061 | MICROWAVE LANDING SYSTEM | | 10,526 | | | | 10,526 |
| 062 | ID SYSTEMS | | 38,682 | | | | 38,682 |
| 063 | TAC A/C MISSION PLANNING SYS (TAMPS) | | 9,102 | | | | 9,102 |
| | OTHER SHORE ELECTRONIC EQUIPMENT | | | | | | |
| 064 | DEPLOYABLE JOINT COMMAND AND CONT | | 8,719 | | | | 8,719 |
| 065 | TADIX-B | | 793 | | | | 793 |
| 066 | GCCS-M EQUIPMENT TACTICAL/MOBILE | | 11,820 | | | | 11,820 |
| 067 | COMMON IMAGERY GROUND SURFACE SYSTEMS | | 27,632 | | | | 27,632 |
| 068 | CANES | | 1,181 | | | | 1,181 |
| 069 | RADIAC | | 5,990 | | | | 5,990 |
| 070 | GPETE | | 3,737 | | | | 3,737 |
| 071 | INTEG COMBAT SYSTEM TEST FACILITY | | 4,423 | | | | 4,423 |
| 072 | EMI CONTROL INSTRUMENTATION | | 4,778 | | | | 4,778 |
| 073 | ITEMS LESS THAN \$5 MILLION | | 65,760 | | | | 65,760 |
| | SHIPBOARD COMMUNICATIONS | | | | | | |
| 074 | SHIPBOARD TACTICAL COMMUNICATIONS | | | | | | |
| 075 | PORTABLE RADIOS | | | | | | |
| 076 | SHIP COMMUNICATIONS AUTOMATION | | 310,605 | | | | 310,605 |
| 077 | AN/URC-82 RADIO | | 4,913 | | | | 4,913 |
| 078 | COMMUNICATIONS ITEMS UNDER \$5M | | 25,314 | | | | 25,314 |
| | SUBMARINE COMMUNICATIONS | | | | | | |
| 079 | SUBMARINE BROADCAST SUPPORT | | 105 | | | | 105 |
| 080 | SUBMARINE COMMUNICATION EQUIPMENT | | 48,729 | | | | 48,729 |
| | SATELLITE COMMUNICATIONS | | | | | | |
| 081 | SATELLITE COMMUNICATIONS SYSTEMS | | 50,172 | | | | 50,172 |
| 082 | NAVY MULTIBAND TERMINAL (NMT) | | 72,496 | | | | 72,496 |
| | SHORE COMMUNICATIONS | | | | | | |
| 083 | JCS COMMUNICATIONS EQUIPMENT | | 2,322 | | | | 2,322 |
| 084 | ELECTRICAL POWER SYSTEMS | | 1,293 | | | | 1,293 |
| 085 | NAVAL SHORE COMMUNICATIONS | | 2,542 | | | | 2,542 |
| | CRYPTOGRAPHIC EQUIPMENT | | | | | | |
| 086 | INFO SYSTEMS SECURITY PROGRAM (ISSP) | | 119,054 | | | | 119,054 |
| 087 | CRYPTOLOGIC COMMUNICATIONS EQUIP | | 16,839 | | | | 16,839 |
| | OTHER ELECTRONIC SUPPORT | | | | | | |
| 088 | COAST GUARD EQUIPMENT | | 18,892 | | | | 18,892 |
| | DRUG INTERDICTION SUPPORT | | | | | | |
| 089 | OTHER DRUG INTERDICTION SUPPORT | | | | | | |
| | AVIATION SUPPORT EQUIPMENT | | | | | | |
| | SONOBUOYS | | | | | | |
| 090 | SONOBUOYS—ALL TYPES | | 91,976 | | | | 91,976 |
| | AIRCRAFT SUPPORT EQUIPMENT | | | | | | |
| 091 | WEAPONS RANGE SUPPORT EQUIPMENT | | 75,329 | | | | 75,329 |
| 092 | EXPEDITIONARY AIRFIELDS | | 8,343 | | | | 8,343 |
| 093 | AIRCRAFT REARMING EQUIPMENT | | 12,850 | | | | 12,850 |
| 094 | AIRCRAFT LAUNCH & RECOVERY EQUIPMENT | | 48,670 | | | | 48,670 |
| 095 | METEOROLOGICAL EQUIPMENT | | 21,458 | | | | 21,458 |
| 096 | OTHER PHOTOGRAPHIC EQUIPMENT | | 1,582 | | | | 1,582 |
| 097 | AVIATION LIFE SUPPORT | | 27,367 | | | | 27,367 |
| 098 | AIRBORNE MINE COUNTERMEASURES | | 55,408 | | | | 55,408 |
| 099 | LAMPS MK III SHIPBOARD EQUIPMENT | | 23,694 | | | | 23,694 |
| 100 | PORTABLE ELECTRONIC MAINTENANCE AIDS | | 9,710 | | | | 9,710 |
| 101 | OTHER AVIATION SUPPORT EQUIPMENT | | 16,541 | | | | 16,541 |
| | ORDNANCE SUPPORT EQUIPMENT | | | | | | |
| | SHIP GUN SYSTEM EQUIPMENT | | | | | | |
| 102 | NAVAL FIRES CONTROL SYSTEM | | 1,391 | | | | 1,391 |
| 103 | GUN FIRE CONTROL EQUIPMENT | | 7,891 | | | | 7,891 |
| | SHIP MISSILE SYSTEMS EQUIPMENT | | | | | | |
| 104 | NATO SEASPARROW | | 13,556 | | | | 13,556 |
| 105 | RAM GMLS | | 7,762 | | | | 7,762 |
| 106 | SHIP SELF DEFENSE SYSTEM | | 34,079 | | | | 34,079 |
| 107 | AEGIS SUPPORT EQUIPMENT | | 108,886 | | | | 108,886 |
| 108 | TOMAHAWK SUPPORT EQUIPMENT | | 88,475 | | | | 88,475 |
| 109 | VERTICAL LAUNCH SYSTEMS | | 5,513 | | | | 5,513 |
| | FBM SUPPORT EQUIPMENT | | | | | | |
| 110 | STRATEGIC MISSILE SYSTEMS EQUIP | | 155,579 | | | | 155,579 |
| | ASW SUPPORT EQUIPMENT | | | | | | |
| 111 | SSN COMBAT CONTROL SYSTEMS | | 118,528 | | | | 118,528 |
| 112 | SUBMARINE ASW SUPPORT EQUIPMENT | | 5,200 | | | | 5,200 |
| 113 | SURFACE ASW SUPPORT EQUIPMENT | | 13,646 | | | | 13,646 |
| 114 | ASW RANGE SUPPORT EQUIPMENT | | 7,256 | | | | 7,256 |
| | OTHER ORDNANCE SUPPORT EQUIPMENT | | | | | | |
| 115 | EXPLOSIVE ORDNANCE DISPOSAL EQUIP | | 54,069 | | | | 54,069 |
| 116 | ITEMS LESS THAN \$5 MILLION | | 3,478 | | | | 3,478 |
| | OTHER EXPENDABLE ORDNANCE | | | | | | |
| 117 | ANTI-SHIP MISSILE DECOY SYSTEM | | 37,128 | | | | 37,128 |
| 118 | SURFACE TRAINING DEVICE MODS | | 7,430 | | | | 7,430 |
| 119 | SUBMARINE TRAINING DEVICE MODS | | 25,271 | | | | 25,271 |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|---------------------------------------------------|-----------------|------------------|---------------|----------------|-------------------|------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| | CIVIL ENGINEERING SUPPORT EQUIPMENT | | | | | | |
| 120 | PASSENGER CARRYING VEHICLES | | 4,139 | | | | 4,139 |
| 121 | GENERAL PURPOSE TRUCKS | | 1,731 | | | | 1,731 |
| 122 | CONSTRUCTION & MAINTENANCE EQUIP | | 12,931 | | | | 12,931 |
| 123 | FIRE FIGHTING EQUIPMENT | | 12,976 | | | | 12,976 |
| 124 | TACTICAL VEHICLES | | 25,352 | | | | 25,352 |
| 125 | AMPHIBIOUS EQUIPMENT | | 2,950 | | | | 2,950 |
| 126 | POLLUTION CONTROL EQUIPMENT | | 5,097 | | | | 5,097 |
| 127 | ITEMS UNDER \$5 MILLION | | 23,787 | | | | 23,787 |
| 128 | PHYSICAL SECURITY VEHICLES | | 1,115 | | | | 1,115 |
| | SUPPLY SUPPORT EQUIPMENT | | | | | | |
| 129 | MATERIALS HANDLING EQUIPMENT | | 17,153 | | | | 17,153 |
| 130 | OTHER SUPPLY SUPPORT EQUIPMENT | | 6,368 | | | | 6,368 |
| 131 | FIRST DESTINATION TRANSPORTATION | | 6,217 | | | | 6,217 |
| 132 | SPECIAL PURPOSE SUPPLY SYSTEMS | | 71,597 | | | | 71,597 |
| | PERSONNEL AND COMMAND SUPPORT EQUIPMENT | | | | | | |
| | TRAINING DEVICES | | | | | | |
| 133 | TRAINING SUPPORT EQUIPMENT | | 12,944 | | | | 12,944 |
| | COMMAND SUPPORT EQUIPMENT | | | | | | |
| 134 | COMMAND SUPPORT EQUIPMENT | | 55,267 | | 1,000 | | 56,267 |
| | National small unit center of excellence | | | | [-3,000] | | |
| | Man overboard indicators | | | | [4,000] | | |
| 135 | EDUCATION SUPPORT EQUIPMENT | | 2,084 | | | | 2,084 |
| 136 | MEDICAL SUPPORT EQUIPMENT | | 5,517 | | | | 5,517 |
| 137 | NAVAL MIP SUPPORT EQUIPMENT | | 1,537 | | | | 1,537 |
| 139 | OPERATING FORCES SUPPORT EQUIPMENT | | 12,250 | | | | 12,250 |
| 140 | C4ISR EQUIPMENT | | 5,324 | | | | 5,324 |
| 141 | ENVIRONMENTAL SUPPORT EQUIPMENT | | 18,183 | | | | 18,183 |
| 142 | PHYSICAL SECURITY EQUIPMENT | | 128,921 | | | | 128,921 |
| 143 | ENTERPRISE INFORMATION TECHNOLOGY | | 79,747 | | | | 79,747 |
| | OTHER | | | | | | |
| 144 | CANCELLED ACCOUNT ADJUSTMENTS | | | | | | |
| | CLASSIFIED PROGRAMS | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 19,463 | | | | 19,463 |
| | SPARES AND REPAIR PARTS | | | | | | |
| 145 | SPARES AND REPAIR PARTS | | 247,796 | | | | 247,796 |
| 145a | Procurement of computer services/systems | | | | -75,000 | | -75,000 |
| | Eliminate redundant activities | | | | [-75,000] | | |
| | TOTAL—OTHER PROCUREMENT, NAVY | | 5,661,176 | | -66,000 | | 5,595,176 |
| | PROCUREMENT, MARINE CORPS | | | | | | |
| | WEAPONS AND COMBAT VEHICLES | | | | | | |
| | TRACKED COMBAT VEHICLES | | | | | | |
| 001 | AAV7A1 PIP | | 9,127 | | | | 9,127 |
| 002 | LAV PIP | | 34,969 | | | | 34,969 |
| 003 | IMPROVED RECOVERY VEHICLE (IRV) | | | | | | |
| 004 | M1A1 FIREPOWER ENHANCEMENTS | | | | | | |
| | ARTILLERY AND OTHER WEAPONS | | | | | | |
| 005 | EXPEDITIONARY FIRE SUPPORT SYSTEM | 20 | 19,591 | | | 20 | 19,591 |
| 006 | 155MM LIGHTWEIGHT TOWED HOWITZER | | 7,420 | | | | 7,420 |
| 007 | HIGH MOBILITY ARTILLERY ROCKET SYSTEM | | 71,476 | | | | 71,476 |
| 008 | WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION .. | | 25,949 | | | | 25,949 |
| | WEAPONS | | | | | | |
| 009 | MODULAR WEAPON SYSTEM | | | | | | |
| | OTHER SUPPORT | | | | | | |
| 010 | MODIFICATION KITS | | 33,990 | | | | 33,990 |
| 011 | WEAPONS ENHANCEMENT PROGRAM | | 22,238 | | | | 22,238 |
| | GUIDED MISSILES AND EQUIPMENT | | | | | | |
| | GUIDED MISSILES | | | | | | |
| 012 | GROUND BASED AIR DEFENSE | | 11,387 | | | | 11,387 |
| 013 | JAVELIN | | | | | | |
| 014 | FOLLOW ON TO SMAW | | 25,333 | | | | 25,333 |
| 015 | ANTI-ARMOR WEAPONS SYSTEM—HEAVY (AAWS-H) | | 71,225 | | | | 71,225 |
| | OTHER SUPPORT | | | | | | |
| 016 | MODIFICATION KITS | | 2,114 | | | | 2,114 |
| | COMMUNICATIONS & ELECTRONICS EQUIPMENT | | | | | | |
| | COMMAND AND CONTROL SYSTEMS | | | | | | |
| 017 | UNIT OPERATIONS CENTER | | 19,832 | | | | 19,832 |
| | REPAIR AND TEST EQUIPMENT | | | | | | |
| 018 | REPAIR AND TEST EQUIPMENT | | 31,087 | | | | 31,087 |
| | OTHER SUPPORT (TEL) | | | | | | |
| 019 | COMBAT SUPPORT SYSTEM | | 11,368 | | | | 11,368 |
| 020 | MODIFICATION KITS | | | | | | |
| | COMMAND AND CONTROL SYSTEM (NON-TEL) | | | | | | |
| 021 | ITEMS UNDER \$5 MILLION (COMM & ELEC) | | 3,531 | | | | 3,531 |
| 022 | AIR OPERATIONS C2 SYSTEMS | | 45,084 | | | | 45,084 |
| | RADAR + EQUIPMENT (NON-TEL) | | | | | | |
| 023 | RADAR SYSTEMS | | 7,428 | | | | 7,428 |
| | INTELL/COMM EQUIPMENT (NON-TEL) | | | | | | |
| 024 | FIRE SUPPORT SYSTEM | | 2,580 | | | | 2,580 |
| 025 | INTELLIGENCE SUPPORT EQUIPMENT | | 37,581 | | | | 37,581 |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|----------------------------------------------------|-----------------|------------------|---------------|-------------|-------------------|------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 026 | RQ-11 UAV | 517 | 42,403 | | | 517 | 42,403 |
| | OTHER COMMELEC EQUIPMENT (NON-TEL) | | | | | | |
| 027 | NIGHT VISION EQUIPMENT | | 10,360 | | | | 10,360 |
| | OTHER SUPPORT (NON-TEL) | | | | | | |
| 028 | COMMON COMPUTER RESOURCES | | 115,263 | | | | 115,263 |
| 029 | COMMAND POST SYSTEMS | | 49,820 | | | | 49,820 |
| 030 | RADIO SYSTEMS | | 61,954 | | | | 61,954 |
| 031 | COMM SWITCHING & CONTROL SYSTEMS | | 98,254 | | | | 98,254 |
| 032 | COMM & ELEC INFRASTRUCTURE SUPPORT | | 15,531 | | | | 15,531 |
| | SUPPORT VEHICLES | | | | | | |
| | ADMINISTRATIVE VEHICLES | | | | | | |
| 033 | COMMERCIAL PASSENGER VEHICLES | | 1,265 | | | | 1,265 |
| 034 | COMMERCIAL CARGO VEHICLES | | 13,610 | | | | 13,610 |
| 035 | TACTICAL VEHICLES | 54 | 9,796 | | | 54 | 9,796 |
| 036 | MOTOR TRANSPORT MODIFICATIONS | | 6,111 | | | | 6,111 |
| 037 | MEDIUM TACTICAL VEHICLE REPLACEMENT | | 10,792 | | | | 10,792 |
| 038 | LOGISTICS VEHICLE SYSTEM REP | 495 | 217,390 | | | 495 | 217,390 |
| 039 | FAMILY OF TACTICAL TRAILERS | | 26,497 | | | | 26,497 |
| 040 | TRAILERS | | 18,122 | | | | 18,122 |
| | OTHER SUPPORT | | | | | | |
| 041 | ITEMS LESS THAN \$5 MILLION | | 5,948 | | | | 5,948 |
| | ENGINEER AND OTHER EQUIPMENT | | | | | | |
| 042 | ENVIRONMENTAL CONTROL EQUIP ASSORT | | 5,121 | | | | 5,121 |
| 043 | BULK LIQUID EQUIPMENT | | 13,035 | | | | 13,035 |
| 044 | TACTICAL FUEL SYSTEMS | | 35,059 | | | | 35,059 |
| 045 | POWER EQUIPMENT ASSORTED | | 21,033 | | | | 21,033 |
| 046 | AMPHIBIOUS SUPPORT EQUIPMENT | | 39,876 | | | | 39,876 |
| 047 | EOD SYSTEMS | | 93,335 | | | | 93,335 |
| | MATERIALS HANDLING EQUIPMENT | | | | | | |
| 048 | PHYSICAL SECURITY EQUIPMENT | | 12,169 | | | | 12,169 |
| 049 | GARRISON MOBILE ENGINEER EQUIPMENT (GMEE) | | 11,825 | | | | 11,825 |
| 050 | MATERIAL HANDLING EQUIP | | 41,430 | | | | 41,430 |
| 051 | FIRST DESTINATION TRANSPORTATION | | 5,301 | | | | 5,301 |
| | GENERAL PROPERTY | | | | | | |
| 052 | FIELD MEDICAL EQUIPMENT | | 6,811 | | | | 6,811 |
| 053 | TRAINING DEVICES | | 14,854 | | | | 14,854 |
| 054 | CONTAINER FAMILY | | 3,770 | | | | 3,770 |
| 055 | FAMILY OF CONSTRUCTION EQUIPMENT | | 37,735 | | | | 37,735 |
| 056 | FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV) ... | 52 | 10,360 | | | 52 | 10,360 |
| 057 | BRIDGE BOATS | | | | | | |
| 058 | RAPID DEPLOYABLE KITCHEN | | 2,159 | | | | 2,159 |
| | OTHER SUPPORT | | | | | | |
| 059 | ITEMS LESS THAN \$5 MILLION | | 8,792 | | | | 8,792 |
| | SPARES AND REPAIR PARTS | | | | | | |
| 060 | SPARES AND REPAIR PARTS | | 41,547 | | | | 41,547 |
| | TOTAL—PROCUREMENT, MARINE CORPS | | 1,600,638 | | | | 1,600,638 |
| | AIRCRAFT PROCUREMENT, AIR FORCE | | | | | | |
| | COMBAT AIRCRAFT | | | | | | |
| | TACTICAL FORCES | | | | | | |
| 001 | F-35 | 10 | 2,048,830 | | | 10 | 2,048,830 |
| 002 | ADVANCE PROCUREMENT (CY) | | 300,600 | | | | 300,600 |
| 003 | F-22A | | 95,163 | 7 | 1,717,735 | 7 | 1,812,898 |
| | Use FY 09 funds to offset FY 10 requirements | | | | [-32,265] | | |
| | Purchase additional aircraft | | | | [1,750,000] | | |
| | Unneeded production shutdown costs | | | | [-64,000] | | |
| | Other program requirements | | | | [64,000] | | |
| 004 | ADVANCE PROCUREMENT (CY) | | | | | | |
| | AIRLIFT AIRCRAFT | | | | | | |
| | TACTICAL AIRLIFT | | | | | | |
| 005 | C-17A (MYP) | | 88,510 | | | | 88,510 |
| | OTHER AIRLIFT | | | | | | |
| 006 | C-130J | 3 | 285,632 | | | 3 | 285,632 |
| 007 | ADVANCE PROCUREMENT (CY) | | 108,000 | | | | 108,000 |
| 008 | HC/MC-130 RECAP | 9 | 879,231 | | | 9 | 879,231 |
| 009 | ADVANCE PROCUREMENT (CY) | | 137,360 | | | | 137,360 |
| 010 | JOINT CARGO AIRCRAFT | 8 | 319,050 | | | 8 | 319,050 |
| | TRAINER AIRCRAFT | | | | | | |
| | UPT TRAINERS | | | | | | |
| 011 | USAF POWERED FLIGHT PROGRAM | 13 | 4,144 | | | 13 | 4,144 |
| | OPERATIONAL TRAINERS | | | | | | |
| 012 | JPATS | | 15,711 | | | | 15,711 |
| | OTHER AIRCRAFT | | | | | | |
| | HELICOPTERS | | | | | | |
| 013 | V22 OSPREY | 5 | 437,272 | | | 5 | 437,272 |
| 014 | ADVANCE PROCUREMENT (CY) | | 13,835 | | | | 13,835 |
| | MISSION SUPPORT AIRCRAFT | | | | | | |
| 015 | C-29A FLIGHT INSPECTION ACFT | | | | | | |
| 016 | C-12 A | | | | | | |
| 017 | C-40 | 3 | 154,044 | | | 3 | 154,044 |
| 018 | CIVIL AIR PATROL A/C | | 2,426 | | | | 2,426 |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|----------------------------------------------------------|-----------------|---------|---------------|------------|-------------------|---------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| | OTHER AIRCRAFT | | | | | | |
| 020 | TARGET DRONES | | 78,511 | | | | 78,511 |
| 021 | C-37A | 1 | 66,400 | | | 1 | 66,400 |
| 022 | GLOBAL HAWK | 5 | 554,775 | | -50,000 | 5 | 504,775 |
| | Reduction due to program delays | | | | [-50,000] | | |
| 023 | ADVANCE PROCUREMENT (CY) | | 113,049 | | | | 113,049 |
| 024 | MQ-1 | | | | | | |
| 025 | MQ-9 | 24 | 489,469 | | -19,900 | 24 | 469,569 |
| | Gorgon Stare | | | | [-19,900] | | |
| | CLASSIFIED PROGRAMS | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 3,608 | | | | 3,608 |
| | MODIFICATION OF IN-SERVICE AIRCRAFT | | | | | | |
| | STRATEGIC AIRCRAFT | | | | | | |
| 026 | B-2A | | 283,955 | | | | 283,955 |
| 027 | ADVANCE PROCUREMENT (CY) | | | | | | |
| 028 | B-1B | | 107,558 | | | | 107,558 |
| 029 | B-52 | | 78,788 | | | | 78,788 |
| | TACTICAL AIRCRAFT | | | | | | |
| 030 | A-10 | | 252,488 | | | | 252,488 |
| 031 | F-15 | | 92,921 | | | | 92,921 |
| 032 | F-16 | | 224,642 | | | | 224,642 |
| 033 | F-22A | | 350,735 | | -350,735 | | |
| | Use FY 09 funds to offset FY 10 requirements | | | | [-350,735] | | |
| | AIRLIFT AIRCRAFT | | | | | | |
| 034 | C-5 | | 606,993 | | | | 606,993 |
| 035 | ADVANCE PROCUREMENT (CY) | | 108,300 | | | | 108,300 |
| 036 | C-9C | | 10 | | | | 10 |
| 037 | C-17A | | 469,731 | | | | 469,731 |
| 038 | C-21 | | 562 | | | | 562 |
| 039 | C-32A | | 10,644 | | | | 10,644 |
| 040 | C-37A | | 4,336 | | | | 4,336 |
| | TRAINER AIRCRAFT | | | | | | |
| 041 | GLIDER MODS | | 119 | | | | 119 |
| 042 | T-6 | | 33,074 | | | | 33,074 |
| 043 | T-1 | | 35 | | | | 35 |
| 044 | T-38 | | 75,274 | | | | 75,274 |
| 045 | T-43 | | | | | | |
| | OTHER AIRCRAFT | | | | | | |
| 046 | KC-10A (ATCA) | | 9,441 | | | | 9,441 |
| 047 | C-12 | | 472 | | | | 472 |
| 048 | MC-12W | | 63,000 | | | | 63,000 |
| 049 | C-20 MODS | | 734 | | | | 734 |
| 050 | VC-25A MOD | | 15,610 | | | | 15,610 |
| 051 | C-40 | | 9,162 | | | | 9,162 |
| 052 | C-130 | | 354,421 | | -209,500 | | 144,921 |
| | Use FY 08 & FY 09 resources to fund AMP production | | | | [-209,500] | | |
| 053 | C130J MODS | | 13,627 | | | | 13,627 |
| 054 | C-135 | | 150,425 | | | | 150,425 |
| 055 | COMPASS CALL MODS | | 29,187 | | | | 29,187 |
| 056 | DARP | | 107,859 | | | | 107,859 |
| 057 | E-3 | | 79,263 | | | | 79,263 |
| 058 | E-4 | | 73,058 | | | | 73,058 |
| 059 | E-8 | | 225,973 | | | | 225,973 |
| 060 | H-1 | | 18,280 | | | | 18,280 |
| 061 | H-60 | | 14,201 | | | | 14,201 |
| 062 | GLOBAL HAWK MODS | | 134,864 | | | | 134,864 |
| 063 | HC/MC-130 MODIFICATIONS | | 1,964 | | | | 1,964 |
| 064 | OTHER AIRCRAFT | | 103,274 | | 24,000 | | 127,274 |
| | Litening ATP upgrade kits | | | | [24,000] | | |
| 065 | MQ-1 MODS | | 123,889 | | | | 123,889 |
| 066 | MQ-9 MODS | | 48,837 | | | | 48,837 |
| 067 | CV-22 MODS | | 24,429 | | | | 24,429 |
| | AIRCRAFT SPARES + REPAIR PARTS | | | | | | |
| 068 | INITIAL SPARES/REPAIR PARTS | | 418,604 | | | | 418,604 |
| | AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES | | | | | | |
| | COMMON SUPPORT EQUIP | | | | | | |
| 069 | AIRCRAFT REPLACEMENT SUPPORT EQUIP | | 105,820 | | | | 105,820 |
| | POST PRODUCTION SUPPORT | | | | | | |
| 070 | B-1 | | 3,929 | | | | 3,929 |
| 071 | B-2A | | | | | | |
| 072 | B-2A | | 24,481 | | | | 24,481 |
| 073 | C-5 | | 2,259 | | | | 2,259 |
| 074 | C-5 | | 11,787 | | | | 11,787 |
| 075 | KC-10A (ATCA) | | 4,125 | | | | 4,125 |
| 076 | C-17A | | 91,400 | | | | 91,400 |
| 077 | C-130 | | 28,092 | | | | 28,092 |
| 078 | EC-130J | | 5,283 | | | | 5,283 |
| 079 | F-15 | | 15,744 | | | | 15,744 |
| 080 | F-16 | | 19,951 | | | | 19,951 |
| 081 | OTHER AIRCRAFT | | 51,980 | | | | 51,980 |
| 082 | T-1 | | | | | | |
| | INDUSTRIAL PREPAREDNESS | | | | | | |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|------------------------------------------------------|-----------------|-------------------|---------------|------------------|-------------------|-------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 083 | INDUSTRIAL RESPONSIVENESS | | 25,529 | | | | 25,529 |
| | WAR CONSUMABLES | | | | | | |
| 084 | WAR CONSUMABLES | | 134,427 | | | | 134,427 |
| | OTHER PRODUCTION CHARGES | | | | | | |
| 085 | OTHER PRODUCTION CHARGES | | 490,344 | | | | 490,344 |
| | OTHER PRODUCTION CHARGES—SOF | | | | | | |
| 087 | CANCELLED ACCT ADJUSTMENTS | | | | | | |
| | DARP | | | | | | |
| 088 | DARP | | 15,323 | | | | 15,323 |
| | CLASSIFIED PROGRAMS | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 19,443 | | | | 19,443 |
| | TOTAL—AIRCRAFT PROCUREMENT, AIR FORCE | | 11,966,276 | | 1,111,600 | | 13,077,876 |
| | PROCUREMENT OF AMMUNITION, AIR FORCE | | | | | | |
| | PROCUREMENT OF AMMO, AIR FORCE | | | | | | |
| | ROCKETS | | | | | | |
| 001 | ROCKETS | | 43,461 | | | | 43,461 |
| | CARTRIDGES | | | | | | |
| 002 | CARTRIDGES | | 123,886 | | | | 123,886 |
| | BOMBS | | | | | | |
| 003 | PRACTICE BOMBS | | 52,459 | | | | 52,459 |
| 004 | GENERAL PURPOSE BOMBS | | 225,145 | | | | 225,145 |
| 005 | JOINT DIRECT ATTACK MUNITION | 3592 | 103,041 | | | 3592 | 103,041 |
| | FLARE, IR MJU-7B | | | | | | |
| 006 | CAD/PAD | | 40,522 | | | | 40,522 |
| 007 | EXPLOSIVE ORDINANCE DISPOSAL (EOD) | | 3,302 | | | | 3,302 |
| 008 | SPARES AND REPAIR PARTS | | 4,582 | | | | 4,582 |
| 009 | MODIFICATIONS | | 1,289 | | | | 1,289 |
| 010 | ITEMS LESS THAN \$5,000,000 | | 5,061 | | | | 5,061 |
| | FUZES | | | | | | |
| 011 | FLARES | | 152,515 | | | | 152,515 |
| 012 | FUZES | | 61,037 | | | | 61,037 |
| | WEAPONS | | | | | | |
| | SMALL ARMS | | | | | | |
| 013 | SMALL ARMS | | 6,162 | | | | 6,162 |
| | TOTAL—PROCUREMENT OF AMMUNITION, AIR FORCE .. | | 822,462 | | | | 822,462 |
| | MISSILE PROCUREMENT, AIR FORCE | | | | | | |
| | BALLISTIC MISSILES | | | | | | |
| | MISSILE REPLACEMENT EQUIPMENT—BALLISTIC | | | | | | |
| 001 | MISSILE REPLACEMENT EQ—BALLISTIC | | 58,139 | | | | 58,139 |
| | OTHER MISSILES | | | | | | |
| | TACTICAL | | | | | | |
| 002 | JASSM | | 52,666 | | | | 52,666 |
| 003 | SIDEWINDER (AIM-9X) | 219 | 78,753 | | | 219 | 78,753 |
| 004 | AMRAAM | 196 | 291,827 | | | 196 | 291,827 |
| 005 | PREDITOR HELLFIRE MISSILE | 792 | 79,699 | | | 792 | 79,699 |
| 006 | SMALL DIAMETER BOMB | 2340 | 134,801 | | | 2340 | 134,801 |
| | INDUSTRIAL FACILITIES | | | | | | |
| 007 | INDUSTRIAL PREPAREDNESS/POL PREVENTION | | 841 | | | | 841 |
| | MODIFICATION OF IN-SERVICE MISSILES | | | | | | |
| | CLASS IV | | | | | | |
| 008 | ADVANCED CRUISE MISSILE | | 32 | | | | 32 |
| 009 | MM III MODIFICATIONS | | 199,484 | | | | 199,484 |
| 010 | AGM-65D MAVERICK | | 258 | | | | 258 |
| 011 | AGM-88A HARM | | 30,280 | | | | 30,280 |
| 012 | AIR LAUNCH CRUISE MISSILE (ALCM) | | | | | | |
| | SPARES AND REPAIR PARTS | | | | | | |
| | MISSILE SPARES + REPAIR PARTS | | | | | | |
| 013 | INITIAL SPARES/REPAIR PARTS | | 70,185 | | | | 70,185 |
| | OTHER SUPPORT | | | | | | |
| | SPACE PROGRAMS | | | | | | |
| 014 | ADVANCED EHF | 1 | 1,843,475 | | | 1 | 1,843,475 |
| 015 | ADVANCE PROCUREMENT (CY) | | | | | | |
| 016 | WIDEBAND GAFILLER SATELLITES (SPACE) | | 201,671 | | | | 201,671 |
| 017 | ADVANCE PROCUREMENT (CY) | | 62,380 | | | | 62,380 |
| 018 | SPACEBORNE EQUIP (COMSEC) | | 9,871 | | | | 9,871 |
| 019 | GLOBAL POSITIONING (SPACE) | | 53,140 | | | | 53,140 |
| 020 | ADVANCE PROCUREMENT (CY) | | | | | | |
| 021 | NUDET DETECTION SYSTEM | | | | | | |
| 022 | DEF METEOROLOGICAL SAT PROG (SPACE) | | 97,764 | | | | 97,764 |
| 023 | TITAN SPACE BOOSTERS (SPACE) | | | | | | |
| 024 | EVOLVED EXPENDABLE LAUNCH VEH (SPACE) | 5 | 1,295,325 | | -193,000 | 5 | 1,102,325 |
| | EELV reduction for GPS IF8 | | | | [-88,000] | | |
| | EELV reduction for AFSPC4 | | | | [-105,000] | | |
| 025 | MEDIUM LAUNCH VEHICLE (SPACE) | | | | | | |
| 026 | SBIR HIGH (SPACE) | 1 | 307,456 | | | 1 | 307,456 |
| 027 | ADVANCE PROCUREMENT (CY) | | 159,000 | | | | 159,000 |
| 028 | NATL POLAR-ORBITING OP ENV SATELLITE | | 3,900 | | | | 3,900 |
| | SPECIAL PROGRAMS | | | | | | |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|---------------------------------------------------|-----------------|------------------|---------------|-----------------|-------------------|------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 029 | DEFENSE SPACE RECONN PROGRAM | | 105,152 | | | | 105,152 |
| 031 | SPECIAL UPDATE PROGRAMS | | 311,070 | | | | 311,070 |
| | CLASSIFIED PROGRAMS | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 853,559 | | | | 853,559 |
| | TOTAL—MISSILE PROCUREMENT, AIR FORCE | | 6,300,728 | | -193,000 | | 6,107,728 |
| | OTHER PROCUREMENT, AIR FORCE | | | | | | |
| | VEHICULAR EQUIPMENT | | | | | | |
| | CARGO + UTILITY VEHICLES | | | | | | |
| 002 | MEDIUM TACTICAL VEHICLE | | 25,922 | | | | 25,922 |
| 003 | CAP VEHICLES | | 897 | | | | 897 |
| | SPECIAL PURPOSE VEHICLES | | | | | | |
| 004 | SECURITY AND TACTICAL VEHICLES | | 44,603 | | | | 44,603 |
| | FIRE FIGHTING EQUIPMENT | | | | | | |
| 005 | FIRE FIGHTING/CRASH RESCUE VEHICLES | | 27,760 | | | | 27,760 |
| | MATERIALS HANDLING EQUIPMENT | | | | | | |
| 006 | HALVERSEN LOADER | | | | 12,000 | | 12,000 |
| | Procure additional loaders | | | | [12,000] | | |
| | BASE MAINTENANCE SUPPORT | | | | | | |
| 007 | RUNWAY SNOW REMOV AND CLEANING EQU | | 24,884 | | | | 24,884 |
| 008 | ITEMS LESS THAN \$5,000,000 (VEHICLES) | | 57,243 | | | | 57,243 |
| | CLASSIFIED PROGRAMS | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 18,163 | | | | 18,163 |
| | ELECTRONICS AND TELECOMMUNICATIONS | | | | | | |
| | COMM SECURITY EQUIPMENT (COMSEC) | | | | | | |
| 009 | COMSEC EQUIPMENT | | 209,249 | | | | 209,249 |
| 010 | MODIFICATIONS (COMSEC) | | 1,570 | | | | 1,570 |
| | INTELLIGENCE PROGRAMS | | | | | | |
| 011 | INTELLIGENCE TRAINING EQUIPMENT | | 4,230 | | | | 4,230 |
| 012 | INTELLIGENCE COMM EQUIPMENT | | 21,965 | | | | 21,965 |
| | ELECTRONICS PROGRAMS | | | | | | |
| 013 | AIR TRAFFIC CONTROL & LANDING SYS | | 22,591 | | | | 22,591 |
| 014 | NATIONAL AIRSPACE SYSTEM | | 47,670 | | | | 47,670 |
| 015 | THEATER AIR CONTROL SYS IMPROVEMEN | | 56,776 | | | | 56,776 |
| 016 | WEATHER OBSERVATION FORECAST | | 19,357 | | | | 19,357 |
| 017 | STRATEGIC COMMAND AND CONTROL | | 35,116 | | | | 35,116 |
| 018 | CHEYENNE MOUNTAIN COMPLEX | | 28,608 | | | | 28,608 |
| 019 | DRUG INTERDICTION SPT | | 452 | | | | 452 |
| | SPCL COMM-ELECTRONICS PROJECTS | | | | | | |
| 020 | GENERAL INFORMATION TECHNOLOGY | | 111,282 | | | | 111,282 |
| 021 | AF GLOBAL COMMAND & CONTROL SYS | | 15,499 | | | | 15,499 |
| 022 | MOBILITY COMMAND AND CONTROL | | 8,610 | | | | 8,610 |
| 023 | AIR FORCE PHYSICAL SECURITY SYSTEM | | 137,293 | | | | 137,293 |
| 024 | COMBAT TRAINING RANGES | | 40,633 | | 6,200 | | 46,833 |
| | Unmanned modular threat emitter (UMTE) | | | | [3,000] | | |
| | Joint threat emitter (JTE) | | | | [3,200] | | |
| 025 | C3 COUNTERMEASURES | | 8,177 | | | | 8,177 |
| 026 | GCSS-AF FOS | | 81,579 | | | | 81,579 |
| 027 | THEATER BATTLE MGT C2 SYSTEM | | 29,687 | | | | 29,687 |
| 028 | AIR & SPACE OPERATIONS CTR-WPN SYS | | 54,093 | | | | 54,093 |
| | AIR FORCE COMMUNICATIONS | | | | | | |
| 029 | BASE INFO INFRASTRUCTURE | | 433,859 | | | | 433,859 |
| 030 | USCENTCOM | | 38,958 | | | | 38,958 |
| 031 | AUTOMATED TELECOMMUNICATIONS PRG | | | | | | |
| | DISA PROGRAMS | | | | | | |
| 032 | SPACE BASED IR SENSOR PGM SPACE | | 34,440 | | | | 34,440 |
| 033 | NAVSTAR GPS SPACE | | 6,415 | | | | 6,415 |
| 034 | NUDET DETECTION SYS SPACE | | 15,436 | | | | 15,436 |
| 035 | AF SATELLITE CONTROL NETWORK SPACE | | 58,865 | | | | 58,865 |
| 036 | SPACELIFT RANGE SYSTEM SPACE | | 100,275 | | | | 100,275 |
| 037 | MILSATCOM SPACE | | 110,575 | | 9,000 | | 119,575 |
| | Application software assurance | | | | [9,000] | | |
| 038 | SPACE MODS SPACE | | 30,594 | | | | 30,594 |
| 039 | COUNTERSPACE SYSTEM | | 29,793 | | | | 29,793 |
| | ORGANIZATION AND BASE | | | | | | |
| 040 | TACTICAL C-E EQUIPMENT | | 240,890 | | | | 240,890 |
| 041 | COMBAT SURVIVOR EVADER LOCATER | | 35,029 | | | | 35,029 |
| 042 | RADIO EQUIPMENT | | 15,536 | | | | 15,536 |
| 043 | TV EQUIPMENT (AFRTV) | | | | | | |
| 044 | CCTV/AUDIOVISUAL EQUIPMENT | | 12,961 | | | | 12,961 |
| 045 | BASE COMM INFRASTRUCTURE | | 121,049 | | | | 121,049 |
| | MODIFICATIONS | | | | | | |
| 046 | COMM ELECT MODS | | 64,087 | | | | 64,087 |
| | OTHER BASE MAINTENANCE AND SUPPORT EQUIP | | | | | | |
| | PERSONAL SAFETY & RESCUE EQUIP | | | | | | |
| 047 | NIGHT VISION GOGGLES | | 28,226 | | | | 28,226 |
| 048 | ITEMS LESS THAN \$5,000,000 (SAFETY) | | 17,223 | | | | 17,223 |
| | DEPOT PLANT + MTRLS HANDLING EQ | | | | | | |
| 049 | MECHANIZED MATERIAL HANDLING EQUIP | | 15,449 | | | | 15,449 |
| | BASE SUPPORT EQUIPMENT | | | | | | |
| 050 | BASE PROCURED EQUIPMENT | | 14,300 | | | | 14,300 |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|-------------------------------------------------------------|-----------------|-------------------|---------------|------------------|-------------------|-------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 051 | CONTINGENCY OPERATIONS | | 22,973 | | | | 22,973 |
| 052 | PRODUCTIVITY CAPITAL INVESTMENT | | 3,020 | | | | 3,020 |
| 053 | MOBILITY EQUIPMENT | | 32,855 | | | | 32,855 |
| 054 | ITEMS LESS THAN \$5,000,000 (BASE S) | | 8,195 | | | | 8,195 |
| | SPECIAL SUPPORT PROJECTS | | | | | | |
| 056 | DARP RC135 | | 23,132 | | | | 23,132 |
| 057 | DISTRIBUTED GROUND SYSTEMS | | 293,640 | | | | 293,640 |
| 059 | SPECIAL UPDATE PROGRAM | | 471,234 | | | | 471,234 |
| 060 | DEFENSE SPACE RECONNAISSANCE PROG. | | 30,041 | | | | 30,041 |
| | CLASSIFIED PROGRAMS | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 13,830,722 | | | | 13,830,722 |
| | SPARES AND REPAIR PARTS | | | | | | |
| 061 | SPARES AND REPAIR PARTS | | 19,460 | | | | 19,460 |
| 061a | Procurement of computer services/systems | | | | -75,000 | | -75,000 |
| | Eliminate redundant activities | | | | [-75,000] | | |
| | TOTAL—OTHER PROCUREMENT, AIR FORCE | | 17,293,141 | | -47,800 | | 17,245,341 |
| | MINE RESISTANT AMBUSH PROT VEH FUND | | | | | | |
| | MINE RESISTANT AMBUSH PROT VEH FUND | | | | | | |
| | MINE RESISTANT AMBUSH PROT VEH FUND | | | | 1,200,000 | | 1,200,000 |
| | Additional MRAP vehicles to meet new requirement | | | | [1,200,000] | | |
| | TOTAL—MINE RESISTANT AMBUSH PROT VEH FUND | | | | 1,200,000 | | 1,200,000 |
| | PROCUREMENT, DEFENSE-WIDE | | | | | | |
| | MAJOR EQUIPMENT | | | | | | |
| | MAJOR EQUIPMENT, AFIS | | | | | | |
| 001 | MAJOR EQUIPMENT, AFIS | | | | | | |
| | MAJOR EQUIPMENT, BTA | | | | | | |
| 002 | MAJOR EQUIPMENT, BTA | | 8,858 | | | | 8,858 |
| | MAJOR EQUIPMENT, DCAA | | | | | | |
| 003 | ITEMS LESS THAN \$5 MILLION | | 1,489 | | | | 1,489 |
| | MAJOR EQUIPMENT, DCMA | | | | | | |
| 004 | MAJOR EQUIPMENT | | 2,012 | | | | 2,012 |
| | MAJOR EQUIPMENT, DHRA | | | | | | |
| 005 | PERSONNEL ADMINISTRATION | | 10,431 | | | | 10,431 |
| | MAJOR EQUIPMENT, DISA | | | | | | |
| 017 | INTERDICTION SUPPORT | | | | | | |
| 018 | INFORMATION SYSTEMS SECURITY | | 13,449 | | | | 13,449 |
| 019 | GLOBAL COMMAND AND CONTROL SYSTEM | | 7,053 | | | | 7,053 |
| 020 | GLOBAL COMBAT SUPPORT SYSTEM | | 2,820 | | | | 2,820 |
| 021 | TELEPORT PROGRAM | | 68,037 | | | | 68,037 |
| 022 | ITEMS LESS THAN \$5 MILLION | | 196,232 | | | | 196,232 |
| 023 | NET CENTRIC ENTERPRISE SERVICES (NCES) | | 3,051 | | | | 3,051 |
| 024 | DEFENSE INFORMATION SYSTEM NETWORK (DISN) | | 89,725 | | | | 89,725 |
| 025 | PUBLIC KEY INFRASTRUCTURE | | 1,780 | | | | 1,780 |
| 026 | JOINT COMMAND AND CONTROL PROGRAM | | 2,835 | | | | 2,835 |
| 027 | CYBER SECURITY INITIATIVE | | 18,188 | | | | 18,188 |
| | MAJOR EQUIPMENT, DLA | | | | | | |
| 028 | MAJOR EQUIPMENT | | 7,728 | | | | 7,728 |
| | MAJOR EQUIPMENT, DMACT | | | | | | |
| 029 | MAJOR EQUIPMENT | 4 | 10,149 | | | 4 | 10,149 |
| | MAJOR EQUIPMENT, DODEA | | | | | | |
| 030 | AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS | | 1,463 | | | | 1,463 |
| | MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY | | | | | | |
| 031 | EQUIPMENT | | | | | | |
| 032 | VEHICLES | | 50 | | | | 50 |
| 033 | OTHER MAJOR EQUIPMENT | | 7,447 | | | | 7,447 |
| | MAJOR EQUIPMENT, DTSA | | | | | | |
| 034 | MAJOR EQUIPMENT | | 436 | | | | 436 |
| | MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY | | | | | | |
| 035 | THAAD SYSTEM | | 420,300 | | | | 420,300 |
| 036 | SM-3 | | 168,723 | | | | 168,723 |
| | MAJOR EQUIPMENT, NSA | | | | | | |
| 044 | INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) | | 4,013 | | | | 4,013 |
| | MAJOR EQUIPMENT, OSD | | | | | | |
| 047 | MAJOR EQUIPMENT, OSD | | 111,487 | | | | 111,487 |
| | MAJOR EQUIPMENT, TJS | | | | | | |
| 048 | MAJOR EQUIPMENT, TJS | | 12,065 | | | | 12,065 |
| | MAJOR EQUIPMENT, WHS | | | | | | |
| 049 | WHS MOTOR VEHICLES | | | | | | |
| 050 | MAJOR EQUIPMENT, WHS | | 26,945 | | | | 26,945 |
| | CLASSIFIED PROGRAMS | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 818,766 | | | | 818,766 |
| | SPECIAL OPERATIONS COMMAND | | | | | | |
| | AVIATION PROGRAMS | | | | | | |
| 051 | ROTARY WING UPGRADES AND SUSTAINMENT | | 101,936 | | | | 101,936 |
| 052 | MH-47 SERVICE LIFE EXTENSION PROGRAM | | 22,958 | | | | 22,958 |
| 053 | MH-60 SOF MODERNIZATION PROGRAM | | 146,820 | | | | 146,820 |

PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|-------------------------------------------------------------------|-----------------|--------------------|---------------|------------------|-------------------|--------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 054 | NON-STANDARD AVIATION | 9 | 227,552 | | | 9 | 227,552 |
| 055 | UNMANNED VEHICLES | | | | | | |
| 056 | SOF TANKER RECAPITALIZATION | | 34,200 | | | | 34,200 |
| 057 | SOF U-28 | | 2,518 | | | | 2,518 |
| 058 | MC-130H, COMBAT TALON II | | | | | | |
| 059 | CV-22 SOF MOD | 5 | 114,553 | | | 5 | 114,553 |
| 060 | MQ-1 UAV | | 10,930 | | | | 10,930 |
| 061 | MQ-9 UAV | | 12,671 | | | | 12,671 |
| 062 | STUASLO | 9 | 12,223 | | | 9 | 12,223 |
| 063 | C-130 MODIFICATIONS | | 59,950 | | 85,000 | | 144,950 |
| | MC-130W multi-mission modifications | | | | [85,000] | | |
| 064 | AIRCRAFT SUPPORT | | 973 | | | | 973 |
| | SHIPBUILDING | | | | | | |
| 065 | ADVANCED SEAL DELIVERY SYSTEM (ASDS) | | 5,236 | | | | 5,236 |
| 066 | MK8 MOD1 SEAL DELIVERY VEHICLE | | 1,463 | | | | 1,463 |
| | AMMUNITION PROGRAMS | | | | | | |
| 067 | SOF ORDNANCE REPLENISHMENT | | 61,360 | | | | 61,360 |
| 068 | SOF ORDNANCE ACQUISITION | | 26,791 | | | | 26,791 |
| | OTHER PROCUREMENT PROGRAMS | | | | | | |
| 069 | COMMUNICATIONS EQUIPMENT AND ELECTRONICS | | 55,080 | | | | 55,080 |
| 070 | SOF INTELLIGENCE SYSTEMS | | 72,811 | | | | 72,811 |
| 071 | SMALL ARMS AND WEAPONS | | 35,235 | | 5,000 | | 40,235 |
| | Advanced lightweight grenade launcher | | | | [5,000] | | |
| 072 | MARITIME EQUIPMENT MODIFICATIONS | | 791 | | | | 791 |
| 073 | SPEC APPLICATION FOR CONT | | | | | | |
| 074 | SOF COMBATANT CRAFT SYSTEMS | | 6,156 | | | | 6,156 |
| 075 | SPARES AND REPAIR PARTS | | 2,010 | | | | 2,010 |
| 076 | TACTICAL VEHICLES | | 18,821 | | | | 18,821 |
| 077 | MISSION TRAINING AND PREPARATION SYSTEMS | | 17,265 | | | | 17,265 |
| 078 | COMBAT MISSION REQUIREMENTS | | 20,000 | | | | 20,000 |
| 079 | MILCON COLLATERAL EQUIPMENT | | 6,835 | | | | 6,835 |
| 081 | SOF AUTOMATION SYSTEMS | | 60,836 | | | | 60,836 |
| 082 | SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES | | 12,401 | | | | 12,401 |
| 083 | SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE | | 26,070 | | | | 26,070 |
| 084 | SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS | | 550 | | | | 550 |
| 085 | SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS. | | 33,741 | | 15,400 | | 49,141 |
| | Special operations visual augmentation systems | | | | [15,400] | | |
| 086 | SOF TACTICAL RADIO SYSTEMS | | 53,034 | | 31,300 | | 84,334 |
| | Special operations forces multi-band inter/intra team radio | | | | [31,300] | | |
| 087 | SOF MARITIME EQUIPMENT | | 2,777 | | | | 2,777 |
| 088 | DRUG INTERDICTION | | | | | | |
| 089 | MISCELLANEOUS EQUIPMENT | | 7,576 | | | | 7,576 |
| 090 | SOF OPERATIONAL ENHANCEMENTS | | 273,998 | | | | 273,998 |
| 091 | PSYOP EQUIPMENT | | 43,081 | | | | 43,081 |
| | CLASSIFIED PROGRAMS | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 5,573 | | | | 5,573 |
| | CHEMICAL/BIOLOGICAL DEFENSE | | | | | | |
| | CBDP | | | | | | |
| 092 | Installation Force Protection | | 65,590 | | | | 65,590 |
| 093 | Individual Force Protection | | 92,004 | | 4,000 | | 96,004 |
| | M53 joint chemical biological protection mask | | | | [4,000] | | |
| 094 | Decontamination | | 22,008 | | | | 22,008 |
| 095 | Joint Bio Defense Program (Medical) | | 12,740 | | | | 12,740 |
| 096 | Collective Protection | | 27,938 | | | | 27,938 |
| 097 | Contamination Avoidance | | 151,765 | | | | 151,765 |
| 097a | Procurement of computer services/systems | | | | -75,000 | | -75,000 |
| | Eliminate redundant activities | | | | [-75,000] | | |
| | TOTAL—PROCUREMENT, DEFENSE-WIDE | | 3,984,352 | | 65,700 | | 4,050,052 |
| | RAPID ACQUISITION FUND | | | | | | |
| 001 | JOINT RAPID ACQUISITION CELL | | 79,300 | | | | 79,300 |
| | TOTAL—RAPID ACQUISITION FUND | | 79,300 | | | | 79,300 |
| | Total Procurement | | 105,819,330 | | 1,397,490 | | 107,216,820 |

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|-------------------------------------------------------------|-----------------|------------------|---------------|------|-------------------|------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| | AIRCRAFT PROCUREMENT, ARMY | | | | | | |
| | AIRCRAFT | | | | | | |
| | FIXED WING | | | | | | |
| 003 | MQ-1 UAV | 12 | 250,000 | | | 12 | 250,000 |
| 004 | RQ-11 (RAVEN) | 86 | 44,640 | | | 86 | 44,640 |
| 004A | C-12A | 6 | 45,000 | | | 6 | 45,000 |
| | ROTARY WING | | | | | | |
| 011 | UH-60 BLACKHAWK (MYP) | 4 | 74,340 | | | 4 | 74,340 |
| 013 | CH-47 HELICOPTER | 4 | 141,200 | | | 4 | 141,200 |
| | MODIFICATION OF AIRCRAFT | | | | | | |
| 018 | GUARDRAIL MODS (MIP) | | 50,210 | | | | 50,210 |
| 019 | MULTI SENSOR ABN RECON (MIP) | | 54,000 | | | | 54,000 |
| 020 | AH-64 MODS | 4 | 315,300 | | | 4 | 315,300 |
| 026 | UTILITY HELICOPTER MODS | | 2,500 | | | | 2,500 |
| 027 | KIOWA WARRIOR | 6 | 94,335 | | | 6 | 94,335 |
| 030 | RQ-7 UAV MODS | | 326,400 | | | | 326,400 |
| 030A | C-12A | | 60,000 | | | | 60,000 |
| | SPARES AND REPAIR PARTS | | | | | | |
| 031 | SPARE PARTS (AIR) | | 18,200 | | | | 18,200 |
| | SUPPORT EQUIPMENT AND FACILITIES | | | | | | |
| | GROUND SUPPORT AVIONICS | | | | | | |
| 033 | ASE INFRARED CM | | 111,600 | | | | 111,600 |
| | OTHER SUPPORT | | | | | | |
| 035 | COMMON GROUND EQUIPMENT | | 23,704 | | | | 23,704 |
| 036 | AIRCREW INTEGRATED SYSTEMS | | 24,800 | | | | 24,800 |
| | TOTAL—AIRCRAFT PROCUREMENT, ARMY. | | 1,636,229 | | | | 1,636,229 |
| | MISSILE PROCUREMENT, ARMY | | | | | | |
| | OTHER MISSILES | | | | | | |
| | AIR-TO-SURFACE MISSILE SYSTEM | | | | | | |
| 005 | HELLFIRE SYS SUMMARY | 2133 | 219,700 | | | 2133 | 219,700 |
| | ANTI-TANK/ASSAULT MISSILE SYSTEM | | | | | | |
| 006 | JAVELIN (AAWS-M) SYSTEM SUMMARY ... | 864 | 140,979 | | | 864 | 140,979 |
| 007 | TOW 2 SYSTEM SUMMARY | 1294 | 59,200 | | | 1294 | 59,200 |
| 008 | GUIDED MLRS ROCKET (GMLRS) | 678 | 60,600 | | | 678 | 60,600 |
| | MODIFICATIONS | | | | | | |
| 014 | MLRS MODS | | 18,772 | | | | 18,772 |
| 015 | HIMARS MODIFICATIONS | | 32,319 | | | | 32,319 |
| | TOTAL—MISSILE PROCUREMENT, ARMY | | 531,570 | | | | 531,570 |
| | PROCUREMENT OF WEAPONS & TRACKED COMBAT VEHICLES | | | | | | |
| | MODIFICATION OF TRACKED COMBAT VEHICLES | | | | | | |
| 009 | FIST VEHICLE (MOD) | | 36,000 | | | | 36,000 |
| 010 | BRADLEY PROGRAM (MOD) | | 243,600 | | | | 243,600 |
| 011 | HOWITZER, MED SP FT 155MM M109A6 (MOD). | | 37,620 | | | | 37,620 |
| | WEAPONS AND OTHER COMBAT VEHICLES | | | | | | |
| 027 | XM320 GRENADE LAUNCHER MODULE (GLM). | 3643 | 13,900 | | | 3643 | 13,900 |
| 031 | COMMON REMOTELY OPERATED WEAPONS STATION (CRO). | 1000 | 235,000 | | | 1000 | 235,000 |
| 033 | HOWITZER LT WT 155MM (T) | 36 | 107,996 | | | 36 | 107,996 |
| | MOD OF WEAPONS AND OTHER COMBAT VEH | | | | | | |
| 036 | M2 50 CAL MACHINE GUN MODS | | 27,600 | | | | 27,600 |
| 037 | M249 SAW MACHINE GUN MODS | | 20,900 | | | | 20,900 |
| 038 | M240 MEDIUM MACHINE GUN MODS | | 4,800 | | | | 4,800 |
| 040 | M119 MODIFICATIONS | | 21,250 | | | | 21,250 |

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|---------------------------------------------------|-----------------|----------------|---------------|------|-------------------|----------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 041A | M14 7.62 RIFLE MODS | | 5,800 | | | | 5,800 |
| | SUPPORT EQUIPMENT & FACILITIES | | | | | | |
| 043 | ITEMS LESS THAN \$5.0M (WOCV-WTCV) ... | | 5,000 | | | | 5,000 |
| | TOTAL—PROCUREMENT OF WTCV, ARMY | | 759,466 | | | | 759,466 |
| | PROCUREMENT OF AMMUNITION, ARMY | | | | | | |
| | AMMUNITION | | | | | | |
| | SMALL/MEDIUM CALIBER AMMUNITION | | | | | | |
| 001 | CTG, 5.56MM, ALL TYPES | | 22,000 | | | | 22,000 |
| 002 | CTG, 7.62MM, ALL TYPES | | 8,300 | | | | 8,300 |
| 003 | CTG, HANDGUN, ALL TYPES | | 500 | | | | 500 |
| 004 | CTG, .50 CAL, ALL TYPES | | 26,500 | | | | 26,500 |
| 006 | CTG, 30MM, ALL TYPES | | 530 | | | | 530 |
| | MORTAR AMMUNITION | | | | | | |
| 008 | 60MM MORTAR, ALL TYPES | | 20,000 | | | | 20,000 |
| | ARTILLERY AMMUNITION | | | | | | |
| 014 | CTG, ARTY, 105MM: ALL TYPES | | 9,200 | | | | 9,200 |
| 016 | PROJ 155MM EXTENDED RANGE XM982 | | 52,200 | | | | 52,200 |
| 017 | MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T. | | 10,000 | | | | 10,000 |
| | ARTILLERY FUZES | | | | | | |
| 018 | ARTILLERY FUZES, ALL TYPES | | 7,800 | | | | 7,800 |
| | MINES | | | | | | |
| 019 | MINES, ALL TYPES | | 5,000 | | | | 5,000 |
| 020 | MINE, CLEARING CHARGE, ALL TYPES ... | | 7,000 | | | | 7,000 |
| | ROCKETS | | | | | | |
| 024 | ROCKET, HYDRA 70, ALL TYPES | | 169,505 | | | | 169,505 |
| | OTHER AMMUNITION | | | | | | |
| 027 | SIGNALS, ALL TYPES | | 100 | | | | 100 |
| | MISCELLANEOUS | | | | | | |
| 030 | NON-LETHAL AMMUNITION, ALL TYPES | | 32,000 | | | | 32,000 |
| | TOTAL—PROCUREMENT OF AMMUNITION, ARMY. | | 370,635 | | | | 370,635 |
| | OTHER PROCUREMENT, ARMY | | | | | | |
| | TACTICAL AND SUPPORT VEHICLES | | | | | | |
| | TACTICAL VEHICLES | | | | | | |
| 001 | TACTICAL TRAILERS/DOLLY SETS | 185 | 1,948 | | | 185 | 1,948 |
| 002 | SEMITRAILERS, FLATBED | 670 | 40,403 | | | 670 | 40,403 |
| 003 | SEMITRAILERS, TANKERS | 44 | 8,651 | | | 44 | 8,651 |
| 004 | HI MOB MULTI-PURP WHLD VEH (HMMWV). | 8444 | 1,251,038 | | | 8444 | 1,251,038 |
| 005 | FAMILY OF MEDIUM TACTICAL VEH (FMTV). | 1643 | 461,657 | | | 1643 | 461,657 |
| 007 | FAMILY OF HEAVY TACTICAL VEHICLES (FHTV). | | 623,230 | | | | 623,230 |
| 009 | ARMORED SECURITY VEHICLES (ASV) | | 13,206 | | | | 13,206 |
| 012 | TRUCK, TRACTOR, LINE HAUL, M915/M916 | 259 | 62,654 | | | 259 | 62,654 |
| | COMMUNICATIONS AND ELECTRONICS | | | | | | |
| | EQUIPMENT | | | | | | |
| | COMM-JOINT COMMUNICATIONS | | | | | | |
| 023 | WIN-T—GROUND FORCES TACTICAL NETWORK. | | 13,500 | | | | 13,500 |
| | COMM—SATELLITE COMMUNICATIONS | | | | | | |
| 028 | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE). | | 53,486 | | | | 53,486 |
| 029 | SMART-T (SPACE) | | 26,000 | | | | 26,000 |
| 032 | MOD OF IN-SVC EQUIP (TAC SAT) | | 23,900 | | | | 23,900 |
| | COMM—COMBAT SUPPORT COMM | | | | | | |
| 032A | MOD-IN-SERVICE PROFILER | | 6,070 | | | | 6,070 |
| | COMM—COMBAT COMMUNICATIONS | | | | | | |

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|-----------------------------------------------------------------------------------------------|-----------------|---------|---------------|-----------|-------------------|---------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 034 | ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO). | | 239 | | | | 239 |
| 037 | SINGARS FAMILY | | 128,180 | | -75,000 | | 53,180 |
| | Unjustified program growth | | | | [-75,000] | | |
| 038 | AMC CRITICAL ITEMS—OPA2 | | 100,000 | | | | 100,000 |
| 046 | RADIO, IMPROVED HF (COTS) FAMILY ... | | 11,286 | | | | 11,286 |
| 047 | MEDICAL COMM FOR CBT CASUALTY CARE (MC4). | | 18 | | | | 18 |
| | INFORMATION SECURITY | | | | | | |
| 050 | INFORMATION SYSTEM SECURITY PROGRAM—ISSP. | | 32,095 | | | | 32,095 |
| | COMM—BASE COMMUNICATIONS | | | | | | |
| 055 | INFORMATION SYSTEMS | | 330,342 | | | | 330,342 |
| 057 | INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(. ELECT EQUIP—TACT INT REL ACT (TIARA) | | 227,733 | | | | 227,733 |
| 062 | JTT/CIBS-M (MIP) | | 1,660 | | | | 1,660 |
| 066 | DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP). | | 265 | | | | 265 |
| 069 | DCGS—A (MIP) | | 167,100 | | | | 167,100 |
| 073 | CI HUMINT AUTO REPRTING AND COLL(CHARCS) (MIP). | | 34,208 | | | | 34,208 |
| 075 | ITEMS LESS THAN \$5.0M (MIP) | | 5,064 | | | | 5,064 |
| | ELECT EQUIP—ELECTRONIC WARFARE (EW) | | | | | | |
| 076 | LIGHTWEIGHT COUNTER MORTAR RADAR. | | 58,590 | | | | 58,590 |
| 077 | WARLOCK | | 164,435 | | | | 164,435 |
| 078 | COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES. ELECT EQUIP—TACTICAL SURV. (TAC SURV) | | 126,030 | | | | 126,030 |
| 082 | NIGHT VISION DEVICES | | 93,183 | | | | 93,183 |
| 084 | NIGHT VISION, THERMAL WPN SIGHT | | 25,000 | | | | 25,000 |
| 085 | SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF. | | 15,000 | | | | 15,000 |
| 087 | COUNTER—ROCKET, ARTILLERY & MORTAR (C—RAM). | | 150,400 | | | | 150,400 |
| 091 | ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE. | | 1,900 | | | | 1,900 |
| 094 | FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2). | | 242,999 | | 179,000 | | 421,999 |
| | Unfunded requirement | | | | [179,000] | | |
| 095 | JOINT BATTLE COMMAND—PLATFORM (JBC—P). | | | | | | |
| 096 | LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD). | | 97,020 | | | | 97,020 |
| 097 | COMPUTER BALLISTICS: LHMBX XM32 ... | | 3,780 | | | | 3,780 |
| 099 | COUNTERFIRE RADARS | | 26,000 | | | | 26,000 |
| | ELECT EQUIP—TACTICAL C2 SYSTEMS | | | | | | |
| 103 | FIRE SUPPORT C2 FAMILY | | 14,840 | | | | 14,840 |
| 104 | BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC. | | 16 | | | | 16 |
| 107 | KNIGHT FAMILY | | 178,500 | | | | 178,500 |
| 113 | NETWORK MANAGEMENT INITIALIZATION AND SERVICE. | | 58,900 | | | | 58,900 |
| 114 | MANEUVER CONTROL SYSTEM (MCS) | | 5,000 | | | | 5,000 |
| 115 | SINGLE ARMY LOGISTICS ENTERPRISE (SALE). | | 1,440 | | | | 1,440 |
| | ELECT EQUIP—SUPPORT | | | | | | |
| | CLASSIFIED PROGRAMS | | 760 | | | | 760 |
| | OTHER SUPPORT EQUIPMENT | | | | | | |
| | CHEMICAL DEFENSIVE EQUIPMENT | | | | | | |

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i> | <i>FY 2010 Request</i> | | <i>Senate Change</i> | | <i>Senate Authorized</i> | |
|-------------|----------------------------------------------------------|------------------------|------------------|----------------------|----------------|--------------------------|------------------|
| | | <i>Qty</i> | <i>Cost</i> | <i>Qty</i> | <i>Cost</i> | <i>Qty</i> | <i>Cost</i> |
| 129 | PROTECTIVE SYSTEMS | | 44,460 | | | | 44,460 |
| 130 | CBRN SOLDIER PROTECTION | | 38,811 | | | | 38,811 |
| | BRIDGING EQUIPMENT | | | | | | |
| 133 | TACTICAL BRIDGE, FLOAT-RIBBON | | 13,525 | | | | 13,525 |
| 136 | EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT). | | 10,800 | | | | 10,800 |
| | COMBAT SERVICE SUPPORT EQUIP- MENT | | | | | | |
| 140 | LAUNDRIES, SHOWERS AND LATRINES ... | | 21,561 | | | | 21,561 |
| 142 | LIGHTWEIGHT MAINTENANCE ENCLO- SURE (LME). | | 1,955 | | | | 1,955 |
| 146 | FORCE PROVIDER | | 245,382 | | | | 245,382 |
| 147 | FIELD FEEDING EQUIPMENT | | 4,011 | | | | 4,011 |
| 150 | ITEMS LESS THAN \$5M (ENG SPT) | | 4,987 | | | | 4,987 |
| | PETROLEUM EQUIPMENT | | | | | | |
| 152 | DISTRIBUTION SYSTEMS, PETROLEUM & WATER. | | 58,554 | | | | 58,554 |
| | WATER EQUIPMENT | | | | | | |
| 153 | WATER PURIFICATION SYSTEMS | | 3,017 | | | | 3,017 |
| | MEDICAL EQUIPMENT | | | | | | |
| 154 | COMBAT SUPPORT MEDICAL | | 11,386 | | | | 11,386 |
| | MAINTENANCE EQUIPMENT | | | | | | |
| 155 | MOBILE MAINTENANCE EQUIPMENT SYSTEMS. | | 12,365 | | | | 12,365 |
| 156 | ITEMS LESS THAN \$5.0M (MAINT EQ) | | 546 | | | | 546 |
| | CONSTRUCTION EQUIPMENT | | | | | | |
| 162 | LOADERS | | 1,100 | | | | 1,100 |
| 163 | HYDRAULIC EXCAVATOR | | 290 | | | | 290 |
| 166 | PLANT, ASPHALT MIXING | | 2,500 | | | | 2,500 |
| 167 | HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS. | | 16,500 | | | | 16,500 |
| 169 | ITEMS LESS THAN \$5.0M (CONST EQUIP) | | 360 | | | | 360 |
| | RAIL FLOAT CONTAINERIZATION EQUIP- MENT | | | | | | |
| 172 | ITEMS LESS THAN \$5.0M (FLOAT/RAIL) | | 3,550 | | | | 3,550 |
| | GENERATORS | | | | | | |
| 173 | GENERATORS AND ASSOCIATED EQUIP .. | | 62,210 | | | | 62,210 |
| | MATERIAL HANDLING EQUIPMENT | | | | | | |
| 174 | ROUGH TERRAIN CONTAINER HANDLER (RTCH). | | 54,360 | | | | 54,360 |
| 175 | ALL TERRAIN LIFTING ARMY SYSTEM | | 49,319 | | | | 49,319 |
| | TRAINING EQUIPMENT | | | | | | |
| 176 | COMBAT TRAINING CENTERS SUPPORT .. | | 60,200 | | | | 60,200 |
| 177 | TRAINING DEVICES, NONSYSTEM | | 28,200 | | | | 28,200 |
| | TEST MEASURE AND DIG EQUIPMENT (TMD) | | | | | | |
| 182 | INTEGRATED FAMILY OF TEST EQUIP- MENT (IFTE). | | 1,524 | | | | 1,524 |
| 183 | TEST EQUIPMENT MODERNIZATION (TEMOD). | | 3,817 | | | | 3,817 |
| | OTHER SUPPORT EQUIPMENT | | | | | | |
| 184 | RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT. | | 27,000 | | | | 27,000 |
| 187 | MODIFICATION OF IN-SVC EQUIPMENT (OPA-3). | | 555,950 | | | | 555,950 |
| | TOTAL—OTHER PROCUREMENT, ARMY .. | | 6,225,966 | | 104,000 | | 6,329,966 |
| | JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND | | | | | | |
| | NETWORK ATTACK | | | | | | |
| 001 | ATTACK THE NETWORK | | 812,000 | | 203,100 | | 1,015,100 |
| | Transfer from base budget | | | | [203,100] | | |
| | JIEDDO DEVICE DEFEAT | | | | | | |

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|-----------------------------------------------------------|-----------------|------------------|---------------|----------------|-------------------|------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 002 | DEFEAT THE DEVICE | | 536,000 | | 199,100 | | 735,100 |
| | Transfer from base budget | | | | [199,100] | | |
| | FORCE TRAINING | | | | | | |
| 003 | TRAIN THE FORCE | | 187,000 | | 41,100 | | 228,100 |
| | Transfer from base budget | | | | [41,100] | | |
| | STAFF AND INFRASTRUCTURE | | | | | | |
| 004 | OPERATIONS | | | | 121,550 | | 121,550 |
| | Transfer from base budget | | | | [121,550] | | |
| | TOTAL—JOINT IED DEFEAT FUND | | 1,535,000 | | 564,850 | | 2,099,850 |
| | AIRCRAFT PROCUREMENT, NAVY | | | | | | |
| | COMBAT AIRCRAFT | | | | | | |
| 010 | UH-1Y/AH-1Z | 2 | 55,006 | | | 2 | 55,006 |
| | MODIFICATION OF AIRCRAFT | | | | | | |
| 028 | EA-6 SERIES | | 45,000 | | | | 45,000 |
| 029 | AV-8 SERIES | | 28,296 | | | | 28,296 |
| 030 | F-18 SERIES | | 96,000 | | | | 96,000 |
| 031 | H-46 SERIES | | 17,485 | | | | 17,485 |
| 033 | H-53 SERIES | | 164,730 | | | | 164,730 |
| 034 | SH-60 SERIES | | 11,192 | | | | 11,192 |
| 035 | H-1 SERIES | | 11,217 | | | | 11,217 |
| 037 | P-3 SERIES | | 74,900 | | | | 74,900 |
| 039 | E-2 SERIES | | 17,200 | | | | 17,200 |
| 041 | C-2A | | 14,100 | | | | 14,100 |
| 042 | C-130 SERIES | | 52,324 | | | | 52,324 |
| 049 | POWER PLANT CHANGES | | 4,456 | | | | 4,456 |
| 052 | COMMON ECM EQUIPMENT | | 263,382 | | | | 263,382 |
| 054 | COMMON DEFENSIVE WEAPON SYSTEM | | 5,500 | | | | 5,500 |
| 056 | V-22 (TILT/ROTOR ACFT) OSPREY | | 53,500 | | | | 53,500 |
| | AIRCRAFT SPARES AND REPAIR PARTS | | | | | | |
| 057 | SPARES AND REPAIR PARTS | | 2,265 | | | | 2,265 |
| | TOTAL—AIRCRAFT PROCUREMENT, NAVY. | | 916,553 | | | | 916,553 |
| | WEAPONS PROCUREMENT, NAVY | | | | | | |
| | OTHER MISSILES | | | | | | |
| | TACTICAL MISSILES | | | | | | |
| 010 | HELLFIRE | 782 | 73,700 | | | 782 | 73,700 |
| | TOTAL—WEAPONS PROCUREMENT, NAVY. | | 73,700 | | | | 73,700 |
| | PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS | | | | | | |
| | PROC AMMO, NAVY | | | | | | |
| | NAVY AMMUNITION | | | | | | |
| 001 | GENERAL PURPOSE BOMBS | | 40,500 | | | | 40,500 |
| 003 | AIRBORNE ROCKETS, ALL TYPES | | 42,510 | | | | 42,510 |
| 004 | MACHINE GUN AMMUNITION | | 109,200 | | | | 109,200 |
| 007 | AIR EXPENDABLE COUNTERMEASURES | | 5,501 | | | | 5,501 |
| 009 | 5 INCH/54 GUN AMMUNITION | | 352 | | | | 352 |
| 011 | OTHER SHIP GUN AMMUNITION | | 2,835 | | | | 2,835 |
| 012 | SMALL ARMS & LANDING PARTY AMMO | | 14,229 | | | | 14,229 |
| 013 | PYROTECHNIC AND DEMOLITION | | 1,442 | | | | 1,442 |
| | PROC AMMO, MC | | | | | | |
| | MARINE CORPS AMMUNITION | | | | | | |
| 015 | SMALL ARMS AMMUNITION | | 16,930 | | | | 16,930 |
| 016 | LINEAR CHARGES, ALL TYPES | | 5,881 | | | | 5,881 |
| 017 | 40 MM, ALL TYPES | | 104,824 | | | | 104,824 |
| 018 | 60MM, ALL TYPES | | 43,623 | | | | 43,623 |
| 019 | 81MM, ALL TYPES | | 103,647 | | | | 103,647 |
| 020 | 120MM, ALL TYPES | | 62,265 | | | | 62,265 |

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|------------------------------------------|-----------------|----------------|---------------|------|-------------------|----------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 021 | CTG 25MM, ALL TYPES | | 563 | | | | 563 |
| 022 | GRENADERS, ALL TYPES | | 6,074 | | | | 6,074 |
| 023 | ROCKETS, ALL TYPES | | 8,117 | | | | 8,117 |
| 024 | ARTILLERY, ALL TYPES | | 81,975 | | | | 81,975 |
| 026 | DEMOLITION MUNITIONS, ALL TYPES | | 9,241 | | | | 9,241 |
| 027 | FUZE, ALL TYPES | | 51,071 | | | | 51,071 |
| | TOTAL—PROCUREMENT OF AMMUNI- | | 710,780 | | | | 710,780 |
| | TION, NAVY & MARINE CORPS. | | | | | | |
| | OTHER PROCUREMENT, NAVY | | | | | | |
| | SHIPS SUPPORT EQUIPMENT | | | | | | |
| | OTHER SHIPBOARD EQUIPMENT | | | | | | |
| 018 | UNDERWATER EOD PROGRAMS | | 12,040 | | | | 12,040 |
| | SMALL BOATS | | | | | | |
| 025 | STANDARD BOATS | | 13,000 | | | | 13,000 |
| | COMMUNICATIONS AND ELECTRONICS | | | | | | |
| | EQUIPMENT | | | | | | |
| | AVIATION ELECTRONIC EQUIPMENT | | | | | | |
| 056 | MATCALS | | 400 | | | | 400 |
| | SHIPBOARD COMMUNICATIONS | | | | | | |
| 076 | SHIP COMMUNICATIONS AUTOMATION .. | | 1,500 | | | | 1,500 |
| | AVIATION SUPPORT EQUIPMENT | | | | | | |
| | AIRCRAFT SUPPORT EQUIPMENT | | | | | | |
| 092 | EXPEDITIONARY AIRFIELDS | | 37,345 | | | | 37,345 |
| 097 | AVIATION LIFE SUPPORT | | 17,883 | | | | 17,883 |
| | ORDNANCE SUPPORT EQUIPMENT | | | | | | |
| | OTHER ORDNANCE SUPPORT EQUIP- | | | | | | |
| | MENT | | | | | | |
| 115 | EXPLOSIVE ORDNANCE DISPOSAL | | 43,650 | | | | 43,650 |
| | EQUIP. | | | | | | |
| | CIVIL ENGINEERING SUPPORT EQUIP- | | | | | | |
| | MENT | | | | | | |
| 120 | PASSENGER CARRYING VEHICLES | | 25 | | | | 25 |
| 121 | GENERAL PURPOSE TRUCKS | | 93 | | | | 93 |
| 122 | CONSTRUCTION & MAINTENANCE EQUIP | | 11,167 | | | | 11,167 |
| 124 | TACTICAL VEHICLES | | 54,008 | | | | 54,008 |
| 127 | ITEMS UNDER \$5 MILLION | | 10,842 | | | | 10,842 |
| 128 | PHYSICAL SECURITY VEHICLES | | 1,130 | | | | 1,130 |
| | SUPPLY SUPPORT EQUIPMENT | | | | | | |
| 129 | MATERIALS HANDLING EQUIPMENT | | 25 | | | | 25 |
| | PERSONNEL AND COMMAND SUPPORT | | | | | | |
| | EQUIPMENT | | | | | | |
| | COMMAND SUPPORT EQUIPMENT | | | | | | |
| 134 | COMMAND SUPPORT EQUIPMENT | | 4,000 | | | | 4,000 |
| 139 | OPERATING FORCES SUPPORT EQUIP- | | 15,452 | | | | 15,452 |
| | MENT. | | | | | | |
| 140 | C4ISR EQUIPMENT | | 3,100 | | | | 3,100 |
| 142 | PHYSICAL SECURITY EQUIPMENT | | 89,521 | | | | 89,521 |
| | SPARES AND REPAIR PARTS | | | | | | |
| 145 | SPARES AND REPAIR PARTS | | 2,837 | | | | 2,837 |
| | TOTAL—OTHER PROCUREMENT, NAVY ... | | 318,018 | | | | 318,018 |
| | PROCUREMENT, MARINE CORPS | | | | | | |
| | WEAPONS AND COMBAT VEHICLES | | | | | | |
| | TRACKED COMBAT VEHICLES | | | | | | |
| 002 | LAV PIP | | 58,229 | | | | 58,229 |
| | ARTILLERY AND OTHER WEAPONS | | | | | | |
| 006 | 155MM LIGHTWEIGHT TOWED HOWITZER | 18 | 54,000 | | | 18 | 54,000 |
| 008 | WEAPONS AND COMBAT VEHICLES | | 3,351 | | | | 3,351 |
| | UNDER \$5 MILLION. | | | | | | |
| | OTHER SUPPORT | | | | | | |

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i> | <i>FY 2010 Request</i> | | <i>Senate Change</i> | | <i>Senate Authorized</i> | |
|-------------|--------------------------------------------|------------------------|------------------|----------------------|-------------|--------------------------|------------------|
| | | <i>Qty</i> | <i>Cost</i> | <i>Qty</i> | <i>Cost</i> | <i>Qty</i> | <i>Cost</i> |
| 010 | MODIFICATION KITS | | 20,183 | | | | 20,183 |
| 011 | WEAPONS ENHANCEMENT PROGRAM | | 9,151 | | | | 9,151 |
| | GUIDED MISSILES AND EQUIPMENT | | | | | | |
| | OTHER SUPPORT | | | | | | |
| 016 | MODIFICATION KITS | | 8,506 | | | | 8,506 |
| | COMMUNICATIONS & ELECTRONICS | | | | | | |
| | EQUIPMENT | | | | | | |
| | REPAIR AND TEST EQUIPMENT | | | | | | |
| 018 | REPAIR AND TEST EQUIPMENT | | 11,741 | | | | 11,741 |
| | OTHER SUPPORT (TEL) | | | | | | |
| 019 | COMBAT SUPPORT SYSTEM | | 462 | | | | 462 |
| | COMMAND AND CONTROL SYSTEM | | | | | | |
| | (NON-TEL) | | | | | | |
| 021 | ITEMS UNDER \$5 MILLION (COMM & ELEC). | | 4,153 | | | | 4,153 |
| 022 | AIR OPERATIONS C2 SYSTEMS | | 3,096 | | | | 3,096 |
| | RADAR + EQUIPMENT (NON-TEL) | | | | | | |
| 023 | RADAR SYSTEMS | | 3,417 | | | | 3,417 |
| | INTELL/COMM EQUIPMENT (NON-TEL) | | | | | | |
| 024 | FIRE SUPPORT SYSTEM | | 521 | | | | 521 |
| 025 | INTELLIGENCE SUPPORT EQUIPMENT | | 37,547 | | | | 37,547 |
| 026 | RQ-11 UAV | | 13,000 | | | | 13,000 |
| | OTHER COMMELEC EQUIPMENT (NON-TEL) | | | | | | |
| 027 | NIGHT VISION EQUIPMENT | | 12,570 | | | | 12,570 |
| | OTHER SUPPORT (NON-TEL) | | | | | | |
| 028 | COMMON COMPUTER RESOURCES | | 23,105 | | | | 23,105 |
| 029 | COMMAND POST SYSTEMS | | 23,041 | | | | 23,041 |
| 030 | RADIO SYSTEMS | | 32,497 | | | | 32,497 |
| 031 | COMM SWITCHING & CONTROL SYSTEMS | | 2,044 | | | | 2,044 |
| 032 | COMM & ELEC INFRASTRUCTURE SUPPORT. | | 64 | | | | 64 |
| | SUPPORT VEHICLES | | | | | | |
| 035 | TACTICAL VEHICLES | | 205,036 | | | | 205,036 |
| 036 | MOTOR TRANSPORT MODIFICATIONS | | 10,177 | | | | 10,177 |
| 037 | MEDIUM TACTICAL VEHICLE REPLACEMENT. | | 131,044 | | | | 131,044 |
| 038 | LOGISTICS VEHICLE SYSTEM REP | | 59,219 | | | | 59,219 |
| 039 | FAMILY OF TACTICAL TRAILERS | | 13,388 | | | | 13,388 |
| | ENGINEER AND OTHER EQUIPMENT | | | | | | |
| 042 | ENVIRONMENTAL CONTROL EQUIP AS-SORT. | | 5,119 | | | | 5,119 |
| 043 | BULK LIQUID EQUIPMENT | | 4,549 | | | | 4,549 |
| 044 | TACTICAL FUEL SYSTEMS | | 33,421 | | | | 33,421 |
| 045 | POWER EQUIPMENT ASSORTED | | 24,860 | | | | 24,860 |
| 047 | EOD SYSTEMS | | 47,697 | | | | 47,697 |
| | MATERIALS HANDLING EQUIPMENT | | | | | | |
| 048 | PHYSICAL SECURITY EQUIPMENT | | 19,720 | | | | 19,720 |
| 050 | MATERIAL HANDLING EQUIP | | 56,875 | | | | 56,875 |
| | GENERAL PROPERTY | | | | | | |
| 053 | TRAINING DEVICES | | 157,734 | | | | 157,734 |
| 055 | FAMILY OF CONSTRUCTION EQUIPMENT | | 35,818 | | | | 35,818 |
| 058 | RAPID DEPLOYABLE KITCHEN | | 55 | | | | 55 |
| | OTHER SUPPORT | | | | | | |
| 059 | ITEMS LESS THAN \$5 MILLION | | 39,055 | | | | 39,055 |
| | TOTAL—PROCUREMENT, MARINE CORPS | | 1,164,445 | | | | 1,164,445 |
| | AIRCRAFT PROCUREMENT, AIR FORCE | | | | | | |
| | AIRLIFT AIRCRAFT | | | | | | |
| | OTHER AIRLIFT | | | | | | |
| 006 | C-130J | | 72,000 | | | | 72,000 |
| | MODIFICATION OF IN-SERVICE AIRCRAFT | | | | | | |

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|----------------------------------------------------|-----------------|----------------|---------------|----------------|-------------------|----------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| | STRATEGIC AIRCRAFT | | | | | | |
| 028 | B-1B | | 20,500 | | | | 20,500 |
| | TACTICAL AIRCRAFT | | | | | | |
| 030 | A-10 | | 10,000 | | | | 10,000 |
| 032 | F-16 | | 20,025 | | | | 20,025 |
| | AIRLIFT AIRCRAFT | | | | | | |
| 034 | C-5 | | 57,400 | | | | 57,400 |
| 037 | C-17A | | 132,300 | | | | 132,300 |
| | OTHER AIRCRAFT | | | | | | |
| 052 | C-130 | | 210,800 | | | | 210,800 |
| 054 | C-135 | | 16,916 | | | | 16,916 |
| 056 | DARP | | 10,300 | | | | 10,300 |
| 063 | HC/MC-130 MODIFICATIONS | | 7,000 | | | | 7,000 |
| 064 | OTHER AIRCRAFT | | 90,000 | | | | 90,000 |
| 065 | MQ-1 MODS | | 65,000 | | | | 65,000 |
| 066 | MQ-9 MODS | | 99,200 | | -40,000 | | 59,200 |
| | Reflect USAF decision to change sensor payload. | | | | [-40,000] | | |
| | AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES | | | | | | |
| | POST PRODUCTION SUPPORT | | | | | | |
| 076 | C-17A | | 11,000 | | | | 11,000 |
| | OTHER PRODUCTION CHARGES | | | | | | |
| 085 | OTHER PRODUCTION CHARGES | | 114,000 | | | | 114,000 |
| | TOTAL—AIRCRAFT PROCUREMENT, AIR FORCE. | | 936,441 | | -40,000 | | 896,441 |
| | PROCUREMENT OF AMMUNITION, AIR FORCE | | | | | | |
| | PROCUREMENT OF AMMO, AIR FORCE | | | | | | |
| | ROCKETS | | | | | | |
| 001 | ROCKETS | | 3,488 | | | | 3,488 |
| | CARTRIDGES | | | | | | |
| 002 | CARTRIDGES | | 39,236 | | | | 39,236 |
| | BOMBS | | | | | | |
| 004 | GENERAL PURPOSE BOMBS | | 34,085 | | | | 34,085 |
| 005 | JOINT DIRECT ATTACK MUNITION | 3860 | 97,978 | | | 3860 | 97,978 |
| | FLARE, IR MJU-7B | | | | | | |
| 007 | EXPLOSIVE ORDNANCE DISPOSAL (EOD) | | 4,800 | | | | 4,800 |
| | FUZES | | | | | | |
| 011 | FLARES | | 41,000 | | | | 41,000 |
| 012 | FUZES | | 14,595 | | | | 14,595 |
| | WEAPONS | | | | | | |
| | SMALL ARMS | | | | | | |
| 013 | SMALL ARMS | | 21,637 | | | | 21,637 |
| | TOTAL—PROCUREMENT OF AMMUNITION, AIR FORCE. | | 256,819 | | | | 256,819 |
| | MISSILE PROCUREMENT, AIR FORCE | | | | | | |
| | OTHER MISSILES | | | | | | |
| | TACTICAL | | | | | | |
| 005 | PREDITOR HELLFIRE MISSILE | 385 | 29,325 | | | 385 | 29,325 |
| 006 | SMALL DIAMETER BOMB | 100 | 7,300 | | | 100 | 7,300 |
| | TOTAL—MISSILE PROCUREMENT, AIR FORCE. | | 36,625 | | | | 36,625 |
| | OTHER PROCUREMENT, AIR FORCE | | | | | | |
| | VEHICULAR EQUIPMENT | | | | | | |
| | CARGO + UTILITY VEHICLES | | | | | | |
| 002 | MEDIUM TACTICAL VEHICLE | | 3,364 | | | | 3,364 |

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|---------------------------------------------------|-----------------|------------------|---------------|------|-------------------|------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| | SPECIAL PURPOSE VEHICLES | | | | | | |
| 004 | SECURITY AND TACTICAL VEHICLES | | 11,337 | | | | 11,337 |
| | FIRE FIGHTING EQUIPMENT | | | | | | |
| 005 | FIRE FIGHTING/CRASH RESCUE VEHICLES. | | 8,626 | | | | 8,626 |
| | ELECTRONICS AND TELECOMMUNICATIONS | | | | | | |
| | SPCL COMM-ELECTRONICS PROJECTS | | | | | | |
| 023 | AIR FORCE PHYSICAL SECURITY SYSTEM. | | 1,600 | | | | 1,600 |
| | DISA PROGRAMS | | | | | | |
| 037 | MILSATCOM SPACE | | 714 | | | | 714 |
| | OTHER BASE MAINTENANCE AND SUPPORT EQUIP | | | | | | |
| | PERSONAL SAFETY & RESCUE EQUIP | | | | | | |
| 047 | NIGHT VISION GOGGLES | | 14,528 | | | | 14,528 |
| 048 | ITEMS LESS THAN \$5,000,000 (SAFETY) | | 4,900 | | | | 4,900 |
| | BASE SUPPORT EQUIPMENT | | | | | | |
| 051 | CONTINGENCY OPERATIONS | | 11,300 | | | | 11,300 |
| | SPECIAL SUPPORT PROJECTS | | | | | | |
| 060 | DEFENSE SPACE RECONNAISSANCE PROG.. | | 34,400 | | | | 34,400 |
| | CLASSIFIED PROGRAMS | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 2,230,780 | | | | 2,230,780 |
| | TOTAL—OTHER PROCUREMENT, AIR FORCE. | | 2,321,549 | | | | 2,321,549 |
| | MINE RESISTANT AMBUSH PROT VEH FUND | | | | | | |
| | MINE RESISTANT AMBUSH PROT VEH FUND | | | | | | |
| | MINE RESISTANT AMBUSH PROT VEH FUND. | | 5,456,000 | | | | 5,456,000 |
| | TOTAL—MINE RESISTANT AMBUSH PROT VEH FUND. | | 5,456,000 | | | | 5,456,000 |
| | PROCUREMENT, DEFENSE-WIDE | | | | | | |
| | MAJOR EQUIPMENT | | | | | | |
| | MAJOR EQUIPMENT, DISA | | | | | | |
| 019 | GLOBAL COMMAND AND CONTROL SYSTEM. | | 1,500 | | | | 1,500 |
| 021 | TELEPORT PROGRAM | | 7,411 | | | | 7,411 |
| | CLASSIFIED PROGRAMS | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 304,794 | | | | 304,794 |
| | SPECIAL OPERATIONS COMMAND | | | | | | |
| | AVIATION PROGRAMS | | | | | | |
| 052 | MH-47 SERVICE LIFE EXTENSION PROGRAM. | | 5,900 | | | | 5,900 |
| 057 | SOF U-28 | | 3,000 | | | | 3,000 |
| 060 | MQ-1 UAV | | 1,450 | | | | 1,450 |
| 062 | STUASLO | 9 | 12,000 | | | 9 | 12,000 |
| 063 | C-130 MODIFICATIONS | | 19,500 | | | | 19,500 |
| | AMMUNITION PROGRAMS | | | | | | |
| 067 | SOF ORDNANCE REPLENISHMENT | | 51,156 | | | | 51,156 |
| 068 | SOF ORDNANCE ACQUISITION | | 17,560 | | | | 17,560 |
| | OTHER PROCUREMENT PROGRAMS | | | | | | |
| 069 | COMMUNICATIONS EQUIPMENT AND ELECTRONICS. | | 2,000 | | | | 2,000 |
| 070 | SOF INTELLIGENCE SYSTEMS | | 23,260 | | | | 23,260 |
| 071 | SMALL ARMS AND WEAPONS | | 3,800 | | | | 3,800 |
| 076 | TACTICAL VEHICLES | | 6,865 | | | | 6,865 |

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | Senate Change | | Senate Authorized | |
|------|---------------------------------------------|-----------------|-------------------|---------------|----------------|-------------------|-------------------|
| | | Qty | Cost | Qty | Cost | Qty | Cost |
| 083 | SOF OPERATIONAL ENHANCEMENTS IN-TELLIGENCE. | | 11,000 | | | | 11,000 |
| 086 | SOF TACTICAL RADIO SYSTEMS | | 5,448 | | | | 5,448 |
| 090 | SOF OPERATIONAL ENHANCEMENTS | | 11,900 | | | | 11,900 |
| | CLASSIFIED PROGRAMS | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 2,886 | | | | 2,886 |
| | TOTAL—PROCUREMENT, DEFENSE-WIDE | | 491,430 | | | | 491,430 |
| | Total Procurement | | 23,741,226 | | 628,850 | | 24,370,076 |

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | Senate Change | Senate Authorized |
|------|-----------------|-------------------------------------------------------------|-----------------|---------------|-------------------|
| | | RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY | | | |
| | | BASIC RESEARCH | | | |
| 001 | 0601101A | IN-HOUSE LABORATORY INDEPENDENT RESEARCH ... | 19,671 | | 19,671 |
| 002 | 0601102A | DEFENSE RESEARCH SCIENCES | 173,024 | 5,500 | 178,524 |
| | | Ballistic materials research | | [3,500] | |
| | | Military operating environments research | | [2,000] | |
| 003 | 0601103A | UNIVERSITY RESEARCH INITIATIVES | 88,421 | 4,000 | 92,421 |
| | | Nanocomposite materials research | | [2,000] | |
| | | Open source intelligence research | | [2,000] | |
| 004 | 0601104A | UNIVERSITY AND INDUSTRY RESEARCH CENTERS | 96,144 | 7,700 | 103,844 |
| | | Advanced nanomaterials design | | [2,000] | |
| | | Electrolyte research for batteries | | [1,000] | |
| | | Immersive simulation research | | [1,200] | |
| | | Materials processing research | | [2,000] | |
| | | Structural modeling and analysis | | [1,500] | |
| | | SUBTOTAL, BASIC RESEARCH, ARMY | 377,260 | 17,200 | 394,460 |
| | | APPLIED RESEARCH | | | |
| 005 | 0602105A | MATERIALS TECHNOLOGY | 27,206 | 23,000 | 50,206 |
| | | Advanced manufacturing technologies | | [2,000] | |
| | | Advanced renewable jet fuels | | [4,000] | |
| | | Applied composite materials research | | [3,000] | |
| | | High strength fibers for ballistic armor applications | | [3,000] | |
| | | Moldable fabric armor | | [2,500] | |
| | | Nanosensor manufacturing research | | [4,000] | |
| | | Smart materials and structures | | [4,500] | |
| 006 | 0602120A | SENSORS AND ELECTRONIC SURVIVABILITY | 50,641 | 2,500 | 53,141 |
| | | Nanoelectronic memory, sensor and energy devices | | [2,500] | |
| 007 | 0602122A | TRACTOR HIP | 14,324 | | 14,324 |
| 008 | 0602211A | AVIATION TECHNOLOGY | 41,332 | 2,000 | 43,332 |
| | | Manned-unmanned aerial system teaming technologies | | [2,000] | |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------|----------------------------|--------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 009 | 0602270A | ELECTRONIC WARFARE TECHNOLOGY | 16,119 | | 16,119 |
| 010 | 0602303A | MISSILE TECHNOLOGY | 50,716 | | 50,716 |
| 011 | 0602307A | ADVANCED WEAPONS TECHNOLOGY | 19,678 | | 19,678 |
| 012 | 0602308A | ADVANCED CONCEPTS AND SIMULATION | 17,473 | 2,000 | 19,473 |
| | | Cognitive modeling and simulation research | | [2,000] | |
| 013 | 0602601A | COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY | 55,937 | 63,000 | 118,937 |
| | | Advanced composite materials research | | [4,000] | |
| | | Army vehicle modernization research | | [25,000] | |
| | | Composite vehicle shelters | | [2,500] | |
| | | Fuel cell APU systems | | [3,000] | |
| | | Hybrid electric vehicle reliability research | | [2,000] | |
| | | Materials research for alternative energy and transpor- tation. | | [1,500] | |
| | | Tactical metal fabrication program | | [3,000] | |
| | | Tribology research | | [2,000] | |
| | | Vehicle systems engineering and integration activities .. | | [20,000] | |
| 014 | 0602618A | BALLISTICS TECHNOLOGY | 61,843 | 26,000 | 87,843 |
| | | Army vehicle survivability research | | [25,000] | |
| | | Electromagnetic gun | | [-2,000] | |
| | | Reactive armor research | | [3,000] | |
| 015 | 0602622A | CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY. | 5,293 | | 5,293 |
| 016 | 0602623A | JOINT SERVICE SMALL ARMS PROGRAM | 7,674 | | 7,674 |
| 017 | 0602624A | WEAPONS AND MUNITIONS TECHNOLOGY | 41,085 | 9,000 | 50,085 |
| | | Acoustic gun detection systems | | [2,000] | |
| | | Acoustic research | | [3,000] | |
| | | UGV weaponization | | [4,000] | |
| 018 | 0602705A | ELECTRONICS AND ELECTRONIC DEVICES | 61,404 | 6,000 | 67,404 |
| | | Hybrid battery systems | | [2,500] | |
| | | Hybrid portable power program | | [3,500] | |
| 019 | 0602709A | NIGHT VISION TECHNOLOGY | 26,893 | | 26,893 |
| 020 | 0602712A | COUNTERMINE SYSTEMS | 18,945 | | 18,945 |
| 021 | 0602716A | HUMAN FACTORS ENGINEERING TECHNOLOGY | 18,605 | | 18,605 |
| 022 | 0602720A | ENVIRONMENTAL QUALITY TECHNOLOGY | 15,902 | | 15,902 |
| 023 | 0602782A | COMMAND, CONTROL, COMMUNICATIONS TECH- NOLOGY. | 24,833 | | 24,833 |
| 024 | 0602783A | COMPUTER AND SOFTWARE TECHNOLOGY | 5,639 | | 5,639 |
| 025 | 0602784A | MILITARY ENGINEERING TECHNOLOGY | 54,818 | 8,500 | 63,318 |
| | | Ballistic materials for force protection | | [3,000] | |
| | | Critical infrastructure monitoring and protection re- search. | | [3,500] | |
| | | Geosciences research | | [2,000] | |
| 026 | 0602785A | MANPOWER/PERSONNEL/TRAINING TECHNOLOGY | 18,701 | | 18,701 |
| 027 | 0602786A | WARFIGHTER TECHNOLOGY | 27,109 | 8,500 | 35,609 |
| | | Airbeam shelter protection systems | | [3,000] | |
| | | Enhanced ballistic protection research | | [3,000] | |
| | | Thermal resistant fiber research | | [2,500] | |
| 028 | 0602787A | MEDICAL TECHNOLOGY | 99,027 | 26,500 | 125,527 |
| | | Bioengineering research | | [2,500] | |
| | | Biomechanics research | | [3,500] | |
| | | Blast protection for ground soldiers | | [2,000] | |
| | | Blast wave modeling | | [3,000] | |
| | | Dengue fever research | | [2,000] | |
| | | Hemorrhage research | | [3,000] | |
| | | Malaria vaccine development | | [2,500] | |
| | | Nanomaterials for biological processes | | [2,000] | |
| | | Neurotrauma research | | [3,500] | |
| | | Secondary trauma research | | [2,500] | |
| | | SUBTOTAL, APPLIED RESEARCH, ARMY | 781,197 | 177,000 | 958,197 |
| | | ADVANCED TECHNOLOGY DEVELOPMENT | | | |
| 029 | 0603001A | WARFIGHTER ADVANCED TECHNOLOGY | 37,574 | | 37,574 |
| 030 | 0603002A | MEDICAL ADVANCED TECHNOLOGY | 72,940 | 38,000 | 110,940 |
| | | Biosensor controller systems development | | [2,000] | |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------|----------------------------|-------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| | | <i>Body temperature conditioner systems</i> | | [2,500] | |
| | | <i>Gulf War illness research</i> | | [12,000] | |
| | | <i>Integrated medical technology program</i> | | [7,500] | |
| | | <i>Lower limb prosthetics research</i> | | [2,000] | |
| | | <i>Prosthetics technology transition</i> | | [8,000] | |
| | | <i>Regenerative medical research</i> | | [4,000] | |
| 031 | 0603003A | AVIATION ADVANCED TECHNOLOGY | 60,097 | 19,750 | 79,847 |
| | | <i>Advanced Affordable Turbine Engine Program</i> | | [4,000] | |
| | | <i>Advanced ultrasonic inspections</i> | | [2,000] | |
| | | <i>Aviation weapons technology integration</i> | | [2,000] | |
| | | <i>Full authority digital engine control systems</i> | | [5,000] | |
| | | <i>Heavy fuel UAV propulsion systems</i> | | [3,000] | |
| | | <i>Integration facility enterprise resource planning system</i> | | [3,750] | |
| 032 | 0603004A | WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY | 66,410 | -4,500 | 61,910 |
| | | <i>Electromagnetic gun</i> | | [-11,500] | |
| | | <i>Lightweight advanced metals program</i> | | [3,000] | |
| | | <i>Nanotechnology manufacturing research</i> | | [4,000] | |
| 033 | 0603005A | COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY. | 89,586 | 183,100 | 272,686 |
| | | <i>Advanced APU development</i> | | [6,000] | |
| | | <i>Advanced battery development program</i> | | [20,000] | |
| | | <i>Advanced lithium ion battery systems</i> | | [3,000] | |
| | | <i>Advanced suspension systems for heavy vehicles</i> | | [3,500] | |
| | | <i>Advanced thermal management systems</i> | | [5,500] | |
| | | <i>Alternative energy research</i> | | [20,000] | |
| | | <i>Applied power management controls</i> | | [3,000] | |
| | | <i>Army vehicle modernization technologies</i> | | [50,000] | |
| | | <i>Dynamometer facility upgrade</i> | | [4,000] | |
| | | <i>Electric drive advanced tactical wheeled armored vehicle system.</i> | | [5,500] | |
| | | <i>Fuel cell unmanned robotic system</i> | | [4,500] | |
| | | <i>Ground robotics reliability research</i> | | [2,000] | |
| | | <i>Heavy fuel engines for unmanned ground vehicles</i> | | [2,500] | |
| | | <i>Hybrid blast protected vehicle technologies</i> | | [4,000] | |
| | | <i>Hybrid engine development program</i> | | [8,000] | |
| | | <i>Hybrid truck development</i> | | [4,000] | |
| | | <i>Hydraulic hybrid vehicles for the tactical wheeled fleet</i> | | [3,000] | |
| | | <i>Next generation superchargers for military engines</i> | | [3,000] | |
| | | <i>Silicon carbide electronics for ground vehicles</i> | | [2,500] | |
| | | <i>Simulations for vehicle reliability and performance</i> | | [2,000] | |
| | | <i>Smart plug-in hybrid electric vehicle program</i> | | [4,100] | |
| | | <i>Threat cue research</i> | | [2,000] | |
| | | <i>Tire development for JLTV program</i> | | [1,500] | |
| | | <i>Unmanned ground vehicle initiative</i> | | [12,000] | |
| | | <i>Vehicle autonomy research</i> | | [1,500] | |
| | | <i>Vehicle prognostics technologies</i> | | [4,000] | |
| | | <i>Water analysis technologies</i> | | [2,000] | |
| 034 | 0603006A | COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY. | 8,667 | | 8,667 |
| 035 | 0603007A | MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY. | 7,410 | | 7,410 |
| 036 | 0603008A | ELECTRONIC WARFARE ADVANCED TECHNOLOGY | 50,458 | | 50,458 |
| 037 | 0603009A | TRACTOR HIKE | 11,328 | | 11,328 |
| 038 | 0603015A | NEXT GENERATION TRAINING & SIMULATION SYSTEMS. | 19,415 | 7,000 | 26,415 |
| | | <i>Combat medic training systems</i> | | [2,500] | |
| | | <i>Joint Fires & Effects Trainer System enhancements</i> | | [4,500] | |
| 039 | 0603020A | TRACTOR ROSE | 14,569 | | 14,569 |
| 040 | 0603103A | EXPLOSIVES DEMILITARIZATION TECHNOLOGY | | | |
| 041 | 0603105A | MILITARY HIV RESEARCH | 6,657 | | 6,657 |
| 042 | 0603125A | COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT. | 11,989 | 3,500 | 15,489 |
| | | <i>Mid-sized unmanned ground vehicle</i> | | [3,500] | |
| 043 | 0603270A | ELECTRONIC WARFARE TECHNOLOGY | 19,192 | 2,000 | 21,192 |
| | | <i>Laser systems for light aircraft missile defense</i> | | [2,000] | |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-----------------------------------------------------------------------------|----------------------------|---------------------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 044 | 0603313A | MISSILE AND ROCKET ADVANCED TECHNOLOGY Discriminatory imaging research | 63,951 | 3,000 [3,000] | 66,951 |
| 045 | 0603322A | TRACTOR CAGE | 12,154 | | 12,154 |
| 046 | 0603606A | LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY. | 30,317 | | 30,317 |
| 047 | 0603607A | JOINT SERVICE SMALL ARMS PROGRAM | 8,996 | | 8,996 |
| 048 | 0603710A | NIGHT VISION ADVANCED TECHNOLOGY | 40,329 | 5,000 [5,000] | 45,329 |
| | | Bradley third generation FLIR | | | |
| 049 | 0603728A | ENVIRONMENTAL QUALITY TECHNOLOGY DEM- ONSTRATIONS. | 15,706 | | 15,706 |
| 050 | 0603734A | MILITARY ENGINEERING ADVANCED TECHNOLOGY .. Permafrost tunnel | 5,911 | 8,500 [500] | 14,411 |
| | | Photovoltaic technology development | | [8,000] | |
| 051 | 0603772A | ADVANCED TACTICAL COMPUTER SCIENCE AND SEN- SOR TECHNOLOGY. | 41,561 | 4,000 | 45,561 |
| | | Wideband digital airborne electronic sensing array | | [4,000] | |
| SUBTOTAL, ADVANCED TECHNOLOGY DEVELOP- MENT, ARMY. | | | 695,217 | 269,350 | 964,567 |
| ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES | | | | | |
| 052 | 0603024A | UNIQUE ITEM IDENTIFICATION (UID) | | | |
| 053 | 0603305A | ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (NON SPACE). | 14,683 | | 14,683 |
| 054 | 0603308A | ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE). | 117,471 | | 117,471 |
| 055 | 0603327A | AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING .. Adaptive robotic technology | 209,531 | 12,500 [3,500] | 222,031 |
| | | Advanced electronics integration | | [4,000] | |
| | | Advanced environmental controls | | [5,000] | |
| 056 | 0603460A | JOINT AIR-TO-GROUND MISSILE (JAGM) | | | |
| 057 | 0603619A | LANDMINE WARFARE AND BARRIER—ADV DEV | 17,536 | | 17,536 |
| 058 | 0603627A | SMOKE, OBSCURANT AND TARGET DEFEATING SYS— ADV DEV. | 4,920 | | 4,920 |
| 059 | 0603639A | TANK AND MEDIUM CALIBER AMMUNITION | 33,934 | | 33,934 |
| 060 | 0603653A | ADVANCED TANK ARMAMENT SYSTEM (ATAS) | 90,299 | 50,000 [50,000] | 140,299 |
| | | Advanced Tank Armament Systems | | | |
| 061 | 0603747A | SOLDIER SUPPORT AND SURVIVABILITY | 31,752 | | 31,752 |
| 062 | 0603766A | TACTICAL ELECTRONIC SURVEILLANCE SYSTEM— ADV DEV. | 18,228 | | 18,228 |
| 063 | 0603774A | NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT | | | |
| 064 | 0603779A | ENVIRONMENTAL QUALITY TECHNOLOGY | 4,770 | | 4,770 |
| 065 | 0603782A | WARFIGHTER INFORMATION NETWORK—TACTICAL .. | 180,673 | | 180,673 |
| 066 | 0603790A | NATO RESEARCH AND DEVELOPMENT | 5,048 | | 5,048 |
| 067 | 0603801A | AVIATION—ADV DEV | 8,537 | 50,000 [50,000] | 58,537 |
| | | Joint Future Theater Lift | | | |
| 068 | 0603804A | LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV | 56,373 | –10,000 [–10,000] | 46,373 |
| | | Premature JLTV program growth | | | |
| 069 | 0603805A | COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS. | 9,868 | | 9,868 |
| 070 | 0603807A | MEDICAL SYSTEMS—ADV DEV | 31,275 | | 31,275 |
| 071 | 0603827A | SOLDIER SYSTEMS—ADVANCED DEVELOPMENT | 71,832 | | 71,832 |
| 072 | 0603850A | INTEGRATED BROADCAST SERVICE | 1,476 | | 1,476 |
| SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, ARMY. | | | 908,206 | 102,500 | 1,010,706 |
| SYSTEM DEVELOPMENT & DEMONSTRATION | | | | | |
| 073 | 0604201A | AIRCRAFT AVIONICS | 92,977 | | 92,977 |
| 074 | 0604220A | ARMED, DEPLOYABLE HELOS | 65,515 | | 65,515 |
| 075 | 0604270A | ELECTRONIC WARFARE DEVELOPMENT | 248,463 | | 248,463 |
| 076 | 0604321A | ALL SOURCE ANALYSIS SYSTEM | 13,107 | | 13,107 |
| 077 | 0604328A | TRACTOR CAGE | 16,286 | | 16,286 |
| 078 | 0604601A | INFANTRY SUPPORT WEAPONS | 74,814 | 8,000 | 82,814 |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------|----------------------------|-------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| | | <i>Lightweight caliber .50 machine gun</i> | | [5,000] | |
| | | <i>Next generation helmet ballistic materials technology</i> | | [3,000] | |
| 079 | 0604604A | MEDIUM TACTICAL VEHICLES | 5,683 | 10,000 | 15,683 |
| | | <i>Medium tactical vehicle development</i> | | [10,000] | |
| 080 | 0604609A | SMOKE, OBSCURANT AND TARGET DEFEATING SYS— SDD. | 978 | | 978 |
| 081 | 0604622A | FAMILY OF HEAVY TACTICAL VEHICLES | 7,477 | 10,000 | 17,477 |
| | | <i>Heavy tactical vehicle development</i> | | [10,000] | |
| 082 | 0604633A | AIR TRAFFIC CONTROL | 7,578 | | 7,578 |
| 083 | 0604646A | NON-LINE OF SIGHT LAUNCH SYSTEM | 88,660 | | 88,660 |
| 084 | 0604647A | NON-LINE OF SIGHT CANNON | 58,216 | -58,216 | |
| | | <i>Excess termination costs</i> | | [-58,216] | |
| 085 | 0604660A | FCS MANNED GRD VEHICLES & COMMON GRD VEHI- CLE. | 368,557 | -323,557 | 45,000 |
| | | <i>Excess termination costs</i> | | [-323,557] | |
| 086 | 0604661A | FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT | 1,067,191 | | 1,067,191 |
| 087 | 0604662A | FCS RECONNAISSANCE (UAV) PLATFORMS | 68,701 | | 68,701 |
| 088 | 0604663A | FCS UNMANNED GROUND VEHICLES | 125,616 | | 125,616 |
| 089 | 0604664A | FCS UNATTENDED GROUND SENSORS | 26,919 | | 26,919 |
| 090 | 0604665A | FCS SUSTAINMENT & TRAINING R&D | 749,182 | | 749,182 |
| 091 | 0604666A | SPIN OUT TECHNOLOGY/CAPABILITY INSERTION | | | |
| 092 | 0604710A | NIGHT VISION SYSTEMS—SDD | 55,410 | | 55,410 |
| 093 | 0604713A | COMBAT FEEDING, CLOTHING, AND EQUIPMENT | 2,092 | | 2,092 |
| 094 | 0604715A | NON-SYSTEM TRAINING DEVICES—SDD | 30,209 | 3,000 | 33,209 |
| | | <i>Urban training development</i> | | [3,000] | |
| 095 | 0604741A | AIR DEFENSE COMMAND, CONTROL AND INTEL- LIGENCE—SDD. | 28,936 | | 28,936 |
| 096 | 0604742A | CONSTRUCTIVE SIMULATION SYSTEMS DEVELOP- MENT. | 33,213 | | 33,213 |
| 097 | 0604746A | AUTOMATIC TEST EQUIPMENT DEVELOPMENT | 15,320 | | 15,320 |
| 098 | 0604760A | DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)— SDD. | 15,727 | | 15,727 |
| 099 | 0604778A | POSITIONING SYSTEMS DEVELOPMENT (SPACE) | 9,446 | | 9,446 |
| 100 | 0604780A | COMBINED ARMS TACTICAL TRAINER (CATT) CORE .. | 26,243 | | 26,243 |
| 101 | 0604783A | JOINT NETWORK MANAGEMENT SYSTEM | | | |
| 102 | 0604802A | WEAPONS AND MUNITIONS—SDD | 34,878 | 7,500 | 42,378 |
| | | <i>Common guidance control module</i> | | [7,500] | |
| 103 | 0604804A | LOGISTICS AND ENGINEER EQUIPMENT—SDD | 36,018 | | 36,018 |
| 104 | 0604805A | COMMAND, CONTROL, COMMUNICATIONS SYSTEMS— SDD. | 88,995 | | 88,995 |
| 105 | 0604807A | MEDICAL MATERIEL/MEDICAL BIOLOGICAL DE- FENSE EQUIPMENT—SDD. | 33,893 | | 33,893 |
| 106 | 0604808A | LANDMINE WARFARE/BARRIER—SDD | 82,260 | | 82,260 |
| 107 | 0604814A | ARTILLERY MUNITIONS | 42,452 | | 42,452 |
| 108 | 0604817A | COMBAT IDENTIFICATION | 20,070 | | 20,070 |
| 109 | 0604818A | ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE. | 90,864 | | 90,864 |
| 110 | 0604820A | RADAR DEVELOPMENT | | | |
| 111 | 0604822A | GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBs). | 6,002 | | 6,002 |
| 112 | 0604823A | FIREFINDER | 20,333 | | 20,333 |
| 113 | 0604827A | SOLDIER SYSTEMS—WARRIOR DEM/VAL | 19,786 | | 19,786 |
| 114 | 0604854A | ARTILLERY SYSTEMS | 23,318 | 58,216 | 81,534 |
| | | <i>Accelerate Paladin integration management</i> | | [58,216] | |
| 115 | 0604869A | PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP). | 569,182 | | 569,182 |
| 116 | 0604870A | NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK. | 7,140 | | 7,140 |
| 117 | 0605013A | INFORMATION TECHNOLOGY DEVELOPMENT | 35,309 | | 35,309 |
| 118 | 0605450A | JOINT AIR-TO-GROUND MISSILE (JAGM) | 127,439 | | 127,439 |
| 119 | 0605625A | MANNED GROUND VEHICLE | 100,000 | | 100,000 |
| | | SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY. | 4,640,455 | -285,057 | 4,355,398 |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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|--------------------------------------------------------|----------------------------|-----------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| RDT&E MANAGEMENT SUPPORT | | | | | |
| 120 | 0604256A | THREAT SIMULATOR DEVELOPMENT | 22,222 | | 22,222 |
| 121 | 0604258A | TARGET SYSTEMS DEVELOPMENT | 13,615 | | 13,615 |
| 122 | 0604759A | MAJOR T&E INVESTMENT | 51,846 | | 51,846 |
| 123 | 0605103A | RAND ARROYO CENTER | 16,305 | | 16,305 |
| 124 | 0605301A | ARMY KWAJALEIN ATOLL | 163,514 | | 163,514 |
| 125 | 0605326A | CONCEPTS EXPERIMENTATION PROGRAM | 23,445 | | 23,445 |
| 126 | 0605502A | SMALL BUSINESS INNOVATIVE RESEARCH | | | |
| 127 | 0605601A | ARMY TEST RANGES AND FACILITIES | 354,693 | 25,600 | 380,293 |
| | | Program increase | | [25,600] | |
| 128 | 0605602A | ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS. | 72,911 | 10,000 | 82,911 |
| | | Common regional operational systems | | [3,000] | |
| | | Data fusion systems | | [2,500] | |
| | | Dugway field test improvements | | [4,500] | |
| 129 | 0605604A | SURVIVABILITY/LETHALITY ANALYSIS | 45,016 | | 45,016 |
| 130 | 0605605A | DOD HIGH ENERGY LASER TEST FACILITY | 2,891 | 6,000 | 8,891 |
| | | Program increase | | [6,000] | |
| 131 | 0605606A | AIRCRAFT CERTIFICATION | 3,766 | | 3,766 |
| 132 | 0605702A | METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES | 8,391 | | 8,391 |
| 133 | 0605706A | MATERIEL SYSTEMS ANALYSIS | 19,969 | | 19,969 |
| 134 | 0605709A | EXPLOITATION OF FOREIGN ITEMS | 5,432 | | 5,432 |
| 135 | 0605712A | SUPPORT OF OPERATIONAL TESTING | 77,877 | | 77,877 |
| 136 | 0605716A | ARMY EVALUATION CENTER | 66,309 | | 66,309 |
| 137 | 0605718A | ARMY MODELING & SIM X-CMD COLLABORATION & INTEG. | 5,357 | | 5,357 |
| 138 | 0605801A | PROGRAMWIDE ACTIVITIES | 77,823 | | 77,823 |
| 139 | 0605803A | TECHNICAL INFORMATION ACTIVITIES | 51,620 | | 51,620 |
| 140 | 0605805A | MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY. | 45,053 | 2,200 | 47,253 |
| | | 3D woven preform technology for Army munitions | | [2,200] | |
| 141 | 0605857A | ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT. | 5,191 | | 5,191 |
| 142 | 0605898A | MANAGEMENT HQ—R&D | 15,866 | | 15,866 |
| 143 | 0909999A | FINANCING FOR CANCELLED ACCOUNT ADJUST- MENTS | | | |
| SUBTOTAL, RDT&E MANAGEMENT SUPPORT, ARMY .. | | | 1,149,112 | 43,800 | 1,192,912 |
| OPERATIONAL SYSTEMS DEVELOPMENT | | | | | |
| 144 | 0603778A | MLRS PRODUCT IMPROVEMENT PROGRAM | 27,693 | | 27,693 |
| 145 | 0603820A | WEAPONS CAPABILITY MODIFICATIONS UAV | | | |
| 146 | 0102419A | AEROSTAT JOINT PROJECT OFFICE | 360,076 | -20,000 | 340,076 |
| | | Program delay reduction | | [-20,000] | |
| 147 | 0203726A | ADV FIELD ARTILLERY TACTICAL DATA SYSTEM | 23,727 | | 23,727 |
| 148 | 0203735A | COMBAT VEHICLE IMPROVEMENT PROGRAMS | 190,301 | | 190,301 |
| 149 | 0203740A | MANEUVER CONTROL SYSTEM | 21,394 | | 21,394 |
| 150 | 0203744A | AIRCRAFT MODIFICATIONS/PRODUCT IMPROVE- MENT PROGRAMS. | 209,401 | | 209,401 |
| 151 | 0203752A | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PRO- GRAM. | 792 | | 792 |
| 152 | 0203758A | DIGITIZATION | 10,692 | | 10,692 |
| 153 | 0203759A | FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2) | | | |
| 154 | 0203801A | MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM. | 39,273 | | 39,273 |
| 155 | 0203802A | OTHER MISSILE PRODUCT IMPROVEMENT PRO- GRAMS. | | 5,000 | 5,000 |
| | | TOW LBS | | [5,000] | |
| 156 | 0203808A | TRACTOR CARD | 20,035 | | 20,035 |
| 157 | 0208010A | JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI- TAC) | | | |
| 158 | 0208053A | JOINT TACTICAL GROUND SYSTEM | 13,258 | -13,258 | |
| | | Joint Tactical Ground System | | [-13,258] | |
| 159 | 0208058A | JOINT HIGH SPEED VESSEL (JHSV) | 3,082 | | 3,082 |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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|-------------|----------------------------|---------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 160 | 0301359A | SPECIAL ARMY PROGRAM | [] | | [] |
| 161 | 0303028A | SECURITY AND INTELLIGENCE ACTIVITIES | 2,144 | 5,000 | 7,144 |
| | | Collection management tools | | [5,000] | |
| 162 | 0303140A | INFORMATION SYSTEMS SECURITY PROGRAM | 74,355 | | 74,355 |
| 163 | 0303141A | GLOBAL COMBAT SUPPORT SYSTEM | 144,733 | | 144,733 |
| 164 | 0303142A | SATCOM GROUND ENVIRONMENT (SPACE) | 40,097 | | 40,097 |
| 165 | 0303150A | WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM | 12,034 | | 12,034 |
| 166 | 0303158A | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 20,365 | | 20,365 |
| 167 | 0305204A | TACTICAL UNMANNED AERIAL VEHICLES | 202,521 | 86,000 | 288,521 |
| | | A160 Afghanistan deployment | | [86,000] | |
| 168 | 0305208A | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 188,414 | | 188,414 |
| 169 | 0305287A | BASE EXPED TARGETING SURVEILLANCE SYS—COM- BINED | | | |
| 170 | 0307207A | AERIAL COMMON SENSOR (ACS) | 210,035 | | 210,035 |
| 171 | 0702239A | AVIONICS COMPONENT IMPROVEMENT PROGRAM | | | |
| 172 | 0708045A | END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES | 68,466 | 37,250 | 105,716 |
| | | Combat vehicle manufacturing technology | | [30,000] | |
| | | Manufacturing metrology research | | [2,750] | |
| | | Smart machine platform initiative | | [2,000] | |
| | | Weapon systems repair technologies | | [2,500] | |
| 999 | 9999999 | OTHER PROGRAMS | 3,883 | | 3,883 |
| | | SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, ARMY. | 1,886,771 | 99,992 | 1,986,763 |
| | | TOTAL, RDT&E ARMY | 10,438,218 | 424,785 | 10,863,003 |
| | | RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY | | | |
| | | BASIC RESEARCH | | | |
| 001 | 0601103N | UNIVERSITY RESEARCH INITIATIVES | 99,472 | 2,000 | 101,472 |
| | | Blast and impact resistant structures | | [2,000] | |
| 002 | 0601152N | IN-HOUSE LABORATORY INDEPENDENT RESEARCH ... | 18,076 | 1,000 | 19,076 |
| | | S&T educational outreach | | [1,000] | |
| 003 | 0601153N | DEFENSE RESEARCH SCIENCES | 413,743 | 2,000 | 415,743 |
| | | Nanoscale research program | | [2,000] | |
| | | SUBTOTAL, BASIC RESEARCH, NAVY | 531,291 | 5,000 | 536,291 |
| | | APPLIED RESEARCH | | | |
| 004 | 0602114N | POWER PROJECTION APPLIED RESEARCH | 59,787 | 3,000 | 62,787 |
| | | Energetics research | | [3,000] | |
| 005 | 0602123N | FORCE PROTECTION APPLIED RESEARCH | 91,400 | 32,000 | 123,400 |
| | | Alternative energy research | | [20,000] | |
| | | Energy systems integration research | | [4,000] | |
| | | Port security technologies | | [3,500] | |
| | | Reconfigurable shipboard power systems | | [2,500] | |
| | | SOF combatant research | | [2,000] | |
| 006 | 0602131M | MARINE CORPS LANDING FORCE TECHNOLOGY | 39,308 | | 39,308 |
| 007 | 0602234N | MATERIALS, ELECTRONICS AND COMPUTER TECH- NOLOGY | | | |
| 008 | 0602235N | COMMON PICTURE APPLIED RESEARCH | 83,163 | | 83,163 |
| 009 | 0602236N | WARFIGHTER SUSTAINMENT APPLIED RESEARCH | 104,169 | 5,000 | 109,169 |
| | | Anti-reverse engineering technologies | | [1,000] | |
| | | Asset lifecycle program | | [4,000] | |
| 010 | 0602271N | ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH ... | 64,816 | 3,000 | 67,816 |
| | | Photonic digital radar systems | | [3,000] | |
| 011 | 0602435N | OCEAN WARFIGHTING ENVIRONMENT APPLIED RE- SEARCH. | 48,750 | 5,500 | 54,250 |
| | | Advanced UUV research | | [3,500] | |
| | | Laser underwater imaging and communications re- search. | | [2,000] | |
| 012 | 0602651M | JOINT NON-LETHAL WEAPONS APPLIED RESEARCH ... | 6,008 | | 6,008 |

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| 013 | 0602747N | UNDERSEA WARFARE APPLIED RESEARCH | 55,694 | 3,750 | 59,444 |
| | | Littoral glider systems | | [3,000] | |
| | | Quiet power technologies | | [750] | |
| 014 | 0602782N | MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH. | 40,880 | 2,000 | 42,880 |
| | | Electromagnetic signature assessment system | | [2,000] | |
| | | SUBTOTAL, APPLIED RESEARCH, NAVY | 593,975 | 54,250 | 648,225 |
| | | ADVANCED TECHNOLOGY DEVELOPMENT | | | |
| 015 | 0603114N | POWER PROJECTION ADVANCED TECHNOLOGY | 107,969 | 4,000 | 111,969 |
| | | Mobile target tracking technologies | | [4,000] | |
| 016 | 0603123N | FORCE PROTECTION ADVANCED TECHNOLOGY | 66,035 | 8,000 | 74,035 |
| | | Advanced coatings for aviation components | | [3,000] | |
| | | Single generator operations lithium ion battery | | [5,000] | |
| 017 | 0603235N | COMMON PICTURE ADVANCED TECHNOLOGY | 108,394 | -59,100 | 49,294 |
| | | High-integrity GPS | | [-59,100] | |
| 018 | 0603236N | WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY. | 86,239 | | 86,239 |
| 019 | 0603271N | ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY. | 65,827 | | 65,827 |
| 020 | 0603640M | USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD). | 107,363 | 9,500 | 116,863 |
| | | Acoustic combat sensors | | [7,500] | |
| | | Unmanned vehicle conversion kits | | [2,000] | |
| 021 | 0603651M | JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT. | 10,998 | | 10,998 |
| 022 | 0603729N | WARFIGHTER PROTECTION ADVANCED TECHNOLOGY. | 18,609 | | 18,609 |
| 023 | 0603747N | UNDERSEA WARFARE ADVANCED TECHNOLOGY | 68,037 | | 68,037 |
| 024 | 0603758N | NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS. | 52,643 | | 52,643 |
| 025 | 0603782N | MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY. | 28,782 | | 28,782 |
| | | SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, NAVY. | 720,896 | -37,600 | 683,296 |
| | | ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES | | | |
| 026 | 0603207N | AIR/OCEAN TACTICAL APPLICATIONS | 116,082 | 1,400 | 117,482 |
| | | Semi-submersible for UUV sensor developments | | [1,400] | |
| 027 | 0603216N | AVIATION SURVIVABILITY | 6,505 | | 6,505 |
| 028 | 0603237N | DEPLOYABLE JOINT COMMAND AND CONTROL | 6,032 | | 6,032 |
| 029 | 0603254N | ASW SYSTEMS DEVELOPMENT | 16,585 | 4,000 | 20,585 |
| | | Sonobuoy wave energy module | | [4,000] | |
| 030 | 0603261N | TACTICAL AIRBORNE RECONNAISSANCE | 7,713 | | 7,713 |
| 031 | 0603382N | ADVANCED COMBAT SYSTEMS TECHNOLOGY | 1,677 | | 1,677 |
| 032 | 0603502N | SURFACE AND SHALLOW WATER MINE COUNTERMEASURES. | 76,739 | | 76,739 |
| 033 | 0603506N | SURFACE SHIP TORPEDO DEFENSE | 57,538 | | 57,538 |
| 034 | 0603512N | CARRIER SYSTEMS DEVELOPMENT | 173,594 | | 173,594 |
| 035 | 0603513N | SHIPBOARD SYSTEM COMPONENT DEVELOPMENT | 1,691 | 9,300 | 10,991 |
| | | DDG-51 hybrid propulsion system | | [9,300] | |
| 036 | 0603525N | PILOT FISH | 79,194 | | 79,194 |
| 037 | 0603527N | RETRACT LARCH | 99,757 | | 99,757 |
| 038 | 0603536N | RETRACT JUNIPER | 120,752 | | 120,752 |
| 039 | 0603542N | RADIOLOGICAL CONTROL | 1,372 | | 1,372 |
| 040 | 0603553N | SURFACE ASW | 21,995 | | 21,995 |
| 041 | 0603561N | ADVANCED SUBMARINE SYSTEM DEVELOPMENT | 551,836 | | 551,836 |
| 042 | 0603562N | SUBMARINE TACTICAL WARFARE SYSTEMS | 10,172 | | 10,172 |
| 043 | 0603563N | SHIP CONCEPT ADVANCED DESIGN | 22,541 | 5,820 | 28,361 |
| | | Remote monitoring & troubleshooting project | | [5,820] | |
| 044 | 0603564N | SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES | 28,135 | | 28,135 |
| 045 | 0603570N | ADVANCED NUCLEAR POWER SYSTEMS | 259,887 | | 259,887 |

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|-------------|----------------------------|------------------------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 046 | 0603573N | ADVANCED SURFACE MACHINERY SYSTEMS | 5,599 | | 5,599 |
| 047 | 0603576N | CHALK EAGLE | 443,555 | | 443,555 |
| 048 | 0603581N | LITTORAL COMBAT SHIP (LCS) | 360,518 | | 360,518 |
| 049 | 0603582N | COMBAT SYSTEM INTEGRATION | 22,558 | | 22,558 |
| 050 | 0603609N | CONVENTIONAL MUNITIONS | 3,458 | | 3,458 |
| 051 | 0603611M | MARINE CORPS ASSAULT VEHICLES | 293,466 | | 293,466 |
| 052 | 0603612M | USMC MINE COUNTERMEASURES SYSTEMS—ADV DEV | | | |
| 053 | 0603635M | MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM Model-based management decision tools | 73,798 | -7,500 [4,500] | 66,298 |
| | | Premature JLTV program growth | | [-12,000] | |
| 054 | 0603654N | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOP- MENT. | 21,054 | | 21,054 |
| 055 | 0603658N | COOPERATIVE ENGAGEMENT | 56,586 | | 56,586 |
| 056 | 0603713N | OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT | 17,328 | | 17,328 |
| 057 | 0603721N | ENVIRONMENTAL PROTECTION | 20,661 | | 20,661 |
| 058 | 0603724N | NAVY ENERGY PROGRAM | 8,476 | 1,774 [2,500] | 10,250 |
| | | Fuel cell and hydrogen generation technologies | | [3,000] | |
| | | Molten carbonate fuel cell demonstrator | | [4,750] | |
| | | Solar heat reflective film development | | [-8,476] | |
| | | Unjustified request | | | |
| 059 | 0603725N | FACILITIES IMPROVEMENT | 4,002 | | 4,002 |
| 060 | 0603734N | CHALK CORAL | 70,772 | | 70,772 |
| 061 | 0603739N | NAVY LOGISTIC PRODUCTIVITY | 4,301 | 5,000 [4,000] | 9,301 |
| | | Highly integrated optical interconnects for advanced air vehicles. | | | |
| | | RFID technology exploitation | | [1,000] | |
| 062 | 0603746N | RETRACT MAPLE | 210,237 | | 210,237 |
| 063 | 0603748N | LINK PLUMERIA | 69,313 | | 69,313 |
| 064 | 0603751N | RETRACT ELM | 152,151 | | 152,151 |
| 065 | 0603755N | SHIP SELF DEFENSE | 6,960 | | 6,960 |
| 066 | 0603764N | LINK EVERGREEN | 123,660 | | 123,660 |
| 067 | 0603787N | SPECIAL PROCESSES | 54,115 | | 54,115 |
| 068 | 0603790N | NATO RESEARCH AND DEVELOPMENT | 10,194 | | 10,194 |
| 069 | 0603795N | LAND ATTACK TECHNOLOGY | 1,238 | | 1,238 |
| 070 | 0603851M | NONLETHAL WEAPONS | 46,971 | | 46,971 |
| 071 | 0603860N | JOINT PRECISION APPROACH AND LANDING SYS- TEMS. | 150,304 | | 150,304 |
| 072 | 0603879N | SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER (SE). | 52,716 | | 52,716 |
| 073 | 0603889N | COUNTERDRUG RDT&E PROJECTS | | | |
| 074 | 0603925N | DIRECTED ENERGY AND ELECTRIC WEAPON SYS- TEMS. | 5,003 | | 5,003 |
| 075 | 0604272N | TACTICAL AIR DIRECTIONAL INFRARED COUNTER- MEASURES (TADIRCM). | 63,702 | | 63,702 |
| 076 | 0604450N | JOINT AIR-TO-GROUND MISSILE (JAGM) | | | |
| 077 | 0604653N | JOINT COUNTER RADIO CONTROLLED IED ELEC- TRONIC WARFARE (JCREW). | 67,843 | | 67,843 |
| 078 | 0604659N | PRECISION STRIKE WEAPONS DEVELOPMENT PRO- GRAM. | 40,926 | | 40,926 |
| 079 | 0604707N | SPACE AND ELECTRONIC WARFARE (SEW) ARCHITEC- TURE/ENGINEERING SUPPORT. | 42,533 | | 42,533 |
| | | SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY. | 4,163,795 | 19,794 | 4,183,589 |
| | | SYSTEM DEVELOPMENT & DEMONSTRATION | | | |
| 080 | 0604212N | OTHER HELO DEVELOPMENT | 54,092 | | 54,092 |
| 081 | 0604214N | AV-8B AIRCRAFT—ENG DEV | 20,886 | | 20,886 |
| 082 | 0604215N | STANDARDS DEVELOPMENT | 53,540 | | 53,540 |
| 083 | 0604216N | MULTI-MISSION HELICOPTER UPGRADE DEVELOP- MENT. | 81,953 | | 81,953 |
| 084 | 0604218N | AIR/OCEAN EQUIPMENT ENGINEERING | 7,485 | | 7,485 |
| 085 | 0604221N | P-3 MODERNIZATION PROGRAM | 3,659 | | 3,659 |
| 086 | 0604230N | WARFARE SUPPORT SYSTEM | 6,307 | | 6,307 |

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| 087 | 0604231N | TACTICAL COMMAND SYSTEM | 86,462 | | 86,462 |
| 088 | 0604234N | ADVANCED HAWKEYE | 364,557 | | 364,557 |
| 089 | 0604245N | H-1 UPGRADES | 32,830 | | 32,830 |
| 090 | 0604261N | ACOUSTIC SEARCH SENSORS | 56,369 | | 56,369 |
| 091 | 0604262N | V-22A | 89,512 | | 89,512 |
| 092 | 0604264N | AIR CREW SYSTEMS DEVELOPMENT | 14,265 | | 14,265 |
| 093 | 0604269N | EA-18 | 55,446 | | 55,446 |
| 094 | 0604270N | ELECTRONIC WARFARE DEVELOPMENT | 97,635 | | 97,635 |
| 095 | 0604273N | VH-71A EXECUTIVE HELO DEVELOPMENT | 85,240 | | 85,240 |
| 096 | 0604274N | NEXT GENERATION JAMMER (NGJ) | 127,970 | | 127,970 |
| 097 | 0604280N | JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) | 876,374 | | 876,374 |
| 098 | 0604300N | SC-21 TOTAL SHIP SYSTEM ENGINEERING | | | |
| 099 | 0604307N | SURFACE COMBATANT COMBAT SYSTEM ENGINEERING. | 178,459 | | 178,459 |
| 100 | 0604311N | LPD-17 CLASS SYSTEMS INTEGRATION | 5,304 | | 5,304 |
| 101 | 0604329N | SMALL DIAMETER BOMB (SDB) | 43,902 | | 43,902 |
| 102 | 0604366N | STANDARD MISSILE IMPROVEMENTS | 182,197 | | 182,197 |
| 103 | 0604373N | AIRBORNE MCM | 48,712 | | 48,712 |
| 104 | 0604378N | NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING. | 11,727 | | 11,727 |
| 105 | 0604501N | ADVANCED ABOVE WATER SENSORS | 236,078 | 50,000 | 286,078 |
| | | Mobile maritime sensor technology development | | [50,000] | |
| 106 | 0604503N | SSN-688 AND TRIDENT MODERNIZATION | 122,733 | 5,000 | 127,733 |
| | | SSN Communications | | [5,000] | |
| 107 | 0604504N | AIR CONTROL | 6,533 | | 6,533 |
| 108 | 0604512N | SHIPBOARD AVIATION SYSTEMS | 80,623 | | 80,623 |
| 109 | 0604518N | COMBAT INFORMATION CENTER CONVERSION | 13,305 | | 13,305 |
| 110 | 0604558N | NEW DESIGN SSN | 154,756 | 11,000 | 165,756 |
| | | Common command & control system module | | [9,000] | |
| | | Mold-in-place coating development | | [2,000] | |
| 111 | 0604561N | SSN-21 DEVELOPMENTS | | | |
| 112 | 0604562N | SUBMARINE TACTICAL WARFARE SYSTEM | 59,703 | 13,000 | 72,703 |
| | | Artificial Intelligence-based combat system kernel | | [5,000] | |
| | | Submarine environment for evaluation & development .. | | [4,000] | |
| | | Weapon acquisition & firing system | | [4,000] | |
| 113 | 0604567N | SHIP CONTRACT DESIGN/LIVE FIRE T&E | 89,988 | 2,000 | 91,988 |
| | | Automated fiber optic manufacturing | | [2,000] | |
| 114 | 0604574N | NAVY TACTICAL COMPUTER RESOURCES | 4,620 | | 4,620 |
| 115 | 0604601N | MINE DEVELOPMENT | 2,249 | | 2,249 |
| 116 | 0604610N | LIGHTWEIGHT TORPEDO DEVELOPMENT | 21,105 | | 21,105 |
| 117 | 0604654N | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT. | 10,327 | | 10,327 |
| 118 | 0604703N | PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS. | 5,898 | | 5,898 |
| 119 | 0604727N | JOINT STANDOFF WEAPON SYSTEMS | 10,022 | | 10,022 |
| 120 | 0604755N | SHIP SELF DEFENSE (DETECT & CONTROL) | 35,459 | 5,000 | 40,459 |
| | | AUSV | | [5,000] | |
| 121 | 0604756N | SHIP SELF DEFENSE (ENGAGE: HARD KILL) | 34,236 | 12,000 | 46,236 |
| | | Phalanx Next Generation | | [12,000] | |
| 122 | 0604757N | SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) | 88,895 | 9,000 | 97,895 |
| | | NULKA decoy R&D | | [9,000] | |
| 123 | 0604761N | INTELLIGENCE ENGINEERING | 14,438 | | 14,438 |
| 124 | 0604771N | MEDICAL DEVELOPMENT | 9,888 | 10,500 | 20,388 |
| | | Composite tissue transplantation research | | [2,000] | |
| | | Custom body implant development | | [2,000] | |
| | | Multivalent dengue vaccine program | | [3,500] | |
| | | Orthopedic surgery instrumentation | | [3,000] | |
| 125 | 0604777N | NAVIGATION/ID SYSTEM | 63,184 | | 63,184 |
| 126 | 0604784N | DISTRIBUTED SURVEILLANCE SYSTEM | | | |
| 127 | 0604800N | JOINT STRIKE FIGHTER (JSF) | 1,741,296 | 141,450 | 1,882,746 |
| | | F136 development | | [219,450] | |
| | | Excess management reserves | | [-78,000] | |
| 128 | 0605013M | INFORMATION TECHNOLOGY DEVELOPMENT | 9,868 | | 9,868 |
| 129 | 0605013N | INFORMATION TECHNOLOGY DEVELOPMENT | 69,026 | 12,000 | 81,026 |
| | | Information systems research | | [7,000] | |

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|-------------|----------------------------|--------------------------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| | | <i>Integrated network-centric technology systems</i> | | [5,000] | |
| 130 | 0605212N | CH-53K RDTE | 554,827 | | 554,827 |
| 131 | 0605430N | C/KC-130 AVIONICS MODERNIZATION PROGRAM (AMP) | | | |
| 132 | 0605450N | JOINT AIR-TO-GROUND MISSILE (JAGM) | 81,434 | | 81,434 |
| 133 | 0605500N | MULTI-MISSION MARITIME AIRCRAFT (MMA) | 1,162,417 | | 1,162,417 |
| 134 | 0204201N | CG(X) | 150,022 | | 150,022 |
| 135 | 0204202N | DDG-1000 | 539,053 | | 539,053 |
| 136 | 0304785N | TACTICAL CRYPTOLOGIC SYSTEMS | 19,016 | | 19,016 |
| | | SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY. | 7,975,882 | 270,950 | 8,246,832 |
| | | RDT&E MANAGEMENT SUPPORT | | | |
| 137 | 0604256N | THREAT SIMULATOR DEVELOPMENT | 25,534 | | 25,534 |
| 138 | 0604258N | TARGET SYSTEMS DEVELOPMENT | 79,603 | | 79,603 |
| 139 | 0604759N | MAJOR T&E INVESTMENT | 44,844 | 5,000 | 49,844 |
| | | <i>Aviation enterprise interoperability upgrades</i> | | [5,000] | |
| 140 | 0605152N | STUDIES AND ANALYSIS SUPPORT—NAVY | 11,422 | | 11,422 |
| 141 | 0605154N | CENTER FOR NAVAL ANALYSES | 49,821 | | 49,821 |
| 142 | 0605502N | SMALL BUSINESS INNOVATIVE RESEARCH | | | |
| 143 | 0605804N | TECHNICAL INFORMATION SERVICES | 735 | | 735 |
| 144 | 0605853N | MANAGEMENT, TECHNICAL & INTERNATIONAL SUP- PORT. | 60,590 | | 60,590 |
| 145 | 0605856N | STRATEGIC TECHNICAL SUPPORT | 3,633 | | 3,633 |
| 146 | 0605861N | RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT ... | 70,942 | | 70,942 |
| 147 | 0605862N | RDT&E INSTRUMENTATION MODERNIZATION | | | |
| 148 | 0605863N | RDT&E SHIP AND AIRCRAFT SUPPORT | 193,353 | | 193,353 |
| 149 | 0605864N | TEST AND EVALUATION SUPPORT | 380,733 | | 380,733 |
| 150 | 0605865N | OPERATIONAL TEST AND EVALUATION CAPABILITY | 12,010 | | 12,010 |
| 151 | 0605866N | NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUP- PORT. | 2,703 | | 2,703 |
| 152 | 0605867N | SEW SURVEILLANCE/RECONNAISSANCE SUPPORT | 20,921 | | 20,921 |
| 153 | 0605873M | MARINE CORPS PROGRAM WIDE SUPPORT | 19,004 | | 19,004 |
| 154 | 0305885N | TACTICAL CRYPTOLOGIC ACTIVITIES | 2,464 | | 2,464 |
| 155 | 0804758N | SERVICE SUPPORT TO JFCOM, JNTC | 4,197 | | 4,197 |
| 156 | 0909999N | FINANCING FOR CANCELLED ACCOUNT ADJUST- MENTS | | | |
| | | SUBTOTAL, RDT&E MANAGEMENT SUPPORT, NAVY ... | 982,509 | 5,000 | 987,509 |
| | | OPERATIONAL SYSTEMS DEVELOPMENT | | | |
| 158 | 0604227N | HARPOON MODIFICATIONS | | | |
| 159 | 0604402N | UNMANNED COMBAT AIR VEHICLE (UCAV) AD- VANCED COMPONENT AND PROTOTYPE DEVELOP- MENT. | 311,204 | | 311,204 |
| 160 | 0101221N | STRATEGIC SUB & WEAPONS SYSTEM SUPPORT | 74,939 | 1,170 | 76,109 |
| | | <i>LINAC</i> | | [1,170] | |
| 161 | 0101224N | SSBN SECURITY TECHNOLOGY PROGRAM | 34,479 | | 34,479 |
| 162 | 0101226N | SUBMARINE ACOUSTIC WARFARE DEVELOPMENT | 7,211 | | 7,211 |
| 163 | 0101402N | NAVY STRATEGIC COMMUNICATIONS | 43,982 | | 43,982 |
| 164 | 0203761N | RAPID TECHNOLOGY TRANSITION (RTT) | 39,125 | | 39,125 |
| 165 | 0204136N | F/A-18 SQUADRONS | 127,733 | | 127,733 |
| 166 | 0204152N | E-2 SQUADRONS | 63,058 | | 63,058 |
| 167 | 0204163N | FLEET TELECOMMUNICATIONS (TACTICAL) | 37,431 | | 37,431 |
| 168 | 0204229N | TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC). | 13,238 | | 13,238 |
| 169 | 0204311N | INTEGRATED SURVEILLANCE SYSTEM | 24,835 | | 24,835 |
| 170 | 0204413N | AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACE- MENT CRAFT). | 2,324 | | 2,324 |
| 171 | 0204571N | CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT | 49,293 | | 49,293 |
| 172 | 0204574N | CRYPTOLOGIC DIRECT SUPPORT | 1,609 | | 1,609 |
| 173 | 0204575N | ELECTRONIC WARFARE (EW) READINESS SUPPORT ... | 37,524 | | 37,524 |
| 174 | 0205601N | HARM IMPROVEMENT | 30,045 | | 30,045 |
| 175 | 0205604N | TACTICAL DATA LINKS | 25,003 | | 25,003 |

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| 176 | 0205620N | SURFACE ASW COMBAT SYSTEM INTEGRATION | 41,803 | | 41,803 |
| 177 | 0205632N | MK-48 ADCAP | 28,438 | | 28,438 |
| 178 | 0205633N | AVIATION IMPROVEMENTS | 135,840 | | 135,840 |
| 179 | 0205658N | NAVY SCIENCE ASSISTANCE PROGRAM | 3,716 | | 3,716 |
| 180 | 0205675N | OPERATIONAL NUCLEAR POWER SYSTEMS | 72,031 | | 72,031 |
| 181 | 0206313M | MARINE CORPS COMMUNICATIONS SYSTEMS | 287,348 | | 287,348 |
| 182 | 0206623M | MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS. Expandable rigid wall composite shelters | 120,379 | 8,200 [1,300] | 128,579 |
| | | Marine personnel carrier support system | | [3,000] | |
| | | Ultrasonic armor consolidation | | [3,900] | |
| 183 | 0206624M | MARINE CORPS COMBAT SERVICES SUPPORT | 17,057 | 1,000 | 18,057 |
| | | High performance capabilities for military vehicles | | [1,000] | |
| 184 | 0206625M | USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP). | 30,167 | | 30,167 |
| 185 | 0207161N | TACTICAL AIM MISSILES | 2,298 | | 2,298 |
| 186 | 0207163N | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM). | 3,604 | | 3,604 |
| 187 | 0208058N | JOINT HIGH SPEED VESSEL (JHSV) | 8,431 | | 8,431 |
| 188 | 0301303N | MARITIME INTELLIGENCE | [] | | [] |
| 189 | 0301323N | COLLECTION MANAGEMENT | [] | | [] |
| 190 | 0301327N | TECHNICAL RECONNAISSANCE AND SURVEILLANCE .. | [] | | [] |
| 191 | 0301372N | CYBER SECURITY INITIATIVE—GDIP | [] | | [] |
| 192 | 0303109N | SATELLITE COMMUNICATIONS (SPACE) | 474,009 | -32,000 [-32,000] | 442,009 |
| | | MUOS program transfer to WPN | | | |
| 193 | 0303138N | CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES). | 45,513 | | 45,513 |
| 194 | 0303140N | INFORMATION SYSTEMS SECURITY PROGRAM | 24,226 | 3,500 [3,500] | 27,726 |
| | | Policy decision point for Consolidated Afloat Networks and Enterprise Services. | | | |
| 195 | 0303158M | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 2,453 | | 2,453 |
| 196 | 0303158N | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 4,139 | | 4,139 |
| 197 | 0305149N | COBRA JUDY | 62,061 | | 62,061 |
| 198 | 0305160N | NAVY METEOROLOGICAL AND OCEAN SENSORS—SPACE (METOC). | 28,094 | | 28,094 |
| 199 | 0305192N | MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES. | 4,600 | | 4,600 |
| 200 | 0305204N | TACTICAL UNMANNED AERIAL VEHICLES | 8,971 | | 8,971 |
| 201 | 0305205N | ENDURANCE UNMANNED AERIAL VEHICLES | | | |
| 202 | 0305206N | AIRBORNE RECONNAISSANCE SYSTEMS | 46,208 | | 46,208 |
| 203 | 0305207N | MANNED RECONNAISSANCE SYSTEMS | 22,599 | | 22,599 |
| 204 | 0305208N | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 18,079 | | 18,079 |
| 205 | 0305220N | RQ-4 UAV | 465,839 | | 465,839 |
| 206 | 0305231N | MQ-8 UAV | 25,639 | | 25,639 |
| 207 | 0305232M | RQ-11 UAV | 553 | | 553 |
| 208 | 0305233N | RQ-7 UAV | 986 | | 986 |
| 209 | 0305234M | SMALL (LEVEL 0) TACTICAL UAS (STUASLO) | 18,763 | | 18,763 |
| 210 | 0305234N | SMALL (LEVEL 0) TACTICAL UAS (STUASLO) | 23,594 | | 23,594 |
| 211 | 0307207N | AERIAL COMMON SENSOR (ACS) | | | |
| 212 | 0307217N | EP-3E REPLACEMENT (EPX) | 11,976 | | 11,976 |
| 213 | 0308601N | MODELING AND SIMULATION SUPPORT | 8,028 | | 8,028 |
| 214 | 0702207N | DEPOT MAINTENANCE (NON-IF) | 14,675 | | 14,675 |
| 215 | 0702239N | AVIONICS COMPONENT IMPROVEMENT PROGRAM | 2,725 | | 2,725 |
| 216 | 0708011N | INDUSTRIAL PREPAREDNESS | 56,691 | 7,500 [5,000] | 64,191 |
| | | Integrated manufacturing enterprise | | [2,500] | |
| | | Life extension of weapon system structures research | | 20,000 | |
| 217 | 0708730N | MARITIME TECHNOLOGY (MARITECH) | | [20,000] | 20,000 |
| | | National Shipbuilding Research Program | | | |
| 999 | 9999999 | OTHER PROGRAMS | 1,258,018 | | 1,258,018 |
| | | SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, RDT&E. | 4,302,584 | 9,370 | 4,311,954 |
| | | TOTAL, RDT&E NAVY | 19,270,932 | 326,764 | 19,597,696 |

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| RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE | | | | | |
| BASIC RESEARCH | | | | | |
| 001 | 0601102F | DEFENSE RESEARCH SCIENCES | 321,028 | 2,500 | 323,528 |
| | | Coal transformation research | | [1,000] | |
| | | Nanotechnology for portable power research | | [1,500] | |
| 002 | 0601103F | UNIVERSITY RESEARCH INITIATIVES | 132,249 | 13,500 | 145,749 |
| | | Cybersecurity for control networks research | | [4,000] | |
| | | End-user software safeguard research | | [2,000] | |
| | | Informatics research | | [1,500] | |
| | | Information security research | | [4,000] | |
| | | Integrated design and manufacturing research | | [2,000] | |
| 003 | 0601108F | HIGH ENERGY LASER RESEARCH INITIATIVES | 12,834 | | 12,834 |
| 004 | 0301555F | CLASSIFIED PROGRAMS | [] | | [] |
| 005 | 0301556F | SPECIAL PROGRAM | [] | | [] |
| SUBTOTAL, BASIC RESEARCH, AIR FORCE | | | 466,111 | 16,000 | 482,111 |
| APPLIED RESEARCH | | | | | |
| 006 | 0602015F | MEDICAL DEVELOPMENT | | | |
| 007 | 0602102F | MATERIALS | 127,957 | 19,750 | 147,707 |
| | | Advanced aerospace heat exchangers | | [3,000] | |
| | | Aircraft active corrosion protection systems | | [2,000] | |
| | | Energy and automation technologies | | [4,000] | |
| | | Energy efficiency, recovery, and generation systems | | [4,000] | |
| | | Health monitoring sensors for aerospace components | | [2,000] | |
| | | Intelligent manufacturing research | | [1,000] | |
| | | Light alloy aerospace and automotive parts develop- ment. | | [1,000] | |
| | | Mid-infrared laser source research | | [2,750] | |
| 008 | 0602201F | AEROSPACE VEHICLE TECHNOLOGIES | 127,129 | 2,500 | 129,629 |
| | | Unmanned aerial system collaboration technologies | | [2,500] | |
| 009 | 0602202F | HUMAN EFFECTIVENESS APPLIED RESEARCH | 85,122 | | 85,122 |
| 010 | 0602203F | AEROSPACE PROPULSION | 196,529 | 18,000 | 214,529 |
| | | Hybrid bearing development | | [1,000] | |
| | | Integrated electrical starter/generator systems | | [2,500] | |
| | | Lithium battery manufacturing | | [5,000] | |
| | | Lithium ion technologies for aviation batteries | | [2,000] | |
| | | Scramjet research | | [3,500] | |
| | | Thermally efficient engine pumping system | | [4,000] | |
| 011 | 0602204F | AEROSPACE SENSORS | 121,768 | | 121,768 |
| 012 | 0602601F | SPACE TECHNOLOGY | 104,148 | 9,500 | 113,648 |
| | | Reconfigurable electronics research | | [2,000] | |
| | | Seismic research program | | [7,500] | |
| 013 | 0602602F | CONVENTIONAL MUNITIONS | 58,289 | | 58,289 |
| 014 | 0602605F | DIRECTED ENERGY TECHNOLOGY | 105,677 | -5,750 | 99,927 |
| | | Chemical laser technology | | [-5,750] | |
| 015 | 0602702F | COMMAND CONTROL AND COMMUNICATIONS | | | |
| 016 | 0602788F | DOMINANT INFORMATION SCIENCES AND METHODS | 115,278 | | 115,278 |
| 017 | 0602890F | HIGH ENERGY LASER RESEARCH | 52,754 | -4,100 | 48,654 |
| | | Advanced deformable mirrors for high energy laser weapons. | | [2,000] | |
| | | Chemical laser technology | | [-6,100] | |
| SUBTOTAL, APPLIED RESEARCH, AIR FORCE | | | 1,094,651 | 39,900 | 1,134,551 |
| ADVANCED TECHNOLOGY DEVELOPMENT | | | | | |
| 018 | 0603112F | ADVANCED MATERIALS FOR WEAPON SYSTEMS | 37,901 | 14,000 | 51,901 |
| | | Metals Affordability Initiative | | [7,000] | |
| | | Sewage-derived biofuels program | | [5,000] | |
| | | Sonic infrared imaging technology development | | [2,000] | |
| 019 | 0603199F | SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) | 2,955 | | 2,955 |
| 020 | 0603203F | ADVANCED AEROSPACE SENSORS | 51,482 | 4,000 | 55,482 |

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| | | Reconfigurable secure computing technologies | | [4,000] | |
| 021 | 0603211F | AEROSPACE TECHNOLOGY DEV/DEMO | 76,844 | | 76,844 |
| 022 | 0603216F | AEROSPACE PROPULSION AND POWER TECHNOLOGY | 175,676 | 39,500 | 215,176 |
| | | Alternative energy research | | [20,000] | |
| | | Long range supersonic engine for high speed strike | | [10,000] | |
| | | Scalable UAV engines | | [3,500] | |
| | | Silicon carbide power electronics research | | [6,000] | |
| 023 | 0603231F | CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY | | | |
| 024 | 0603270F | ELECTRONIC COMBAT TECHNOLOGY | 31,021 | | 31,021 |
| 025 | 0603401F | ADVANCED SPACECRAFT TECHNOLOGY | 83,909 | | 83,909 |
| 026 | 0603444F | MAUI SPACE SURVEILLANCE SYSTEM (MSSS) | 5,813 | | 5,813 |
| 027 | 0603456F | HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT. | 24,565 | | 24,565 |
| 028 | 0603601F | CONVENTIONAL WEAPONS TECHNOLOGY | 14,356 | | 14,356 |
| 029 | 0603605F | ADVANCED WEAPONS TECHNOLOGY | 30,056 | | 30,056 |
| 030 | 0603680F | MANUFACTURING TECHNOLOGY PROGRAM | 39,913 | 3,250 | 43,163 |
| | | Next generation casting initiative | | [3,250] | |
| 031 | 0603788F | BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION. | 39,708 | 2,500 | 42,208 |
| | | Optical interconnects research | | [2,500] | |
| 032 | 0603789F | C3I ADVANCED DEVELOPMENT | | | |
| 033 | 0603924F | HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM. | 3,831 | | 3,831 |
| | | SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, AIR FORCE. | 618,030 | 63,250 | 681,280 |
| | | ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES | | | |
| 034 | 0603260F | INTELLIGENCE ADVANCED DEVELOPMENT | 5,009 | | 5,009 |
| 035 | 0603287F | PHYSICAL SECURITY EQUIPMENT | 3,623 | | 3,623 |
| 036 | 0603421F | NAVSTAR GLOBAL POSITIONING SYSTEM III | | | |
| 037 | 0603423F | GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT | | | |
| 038 | 0603430F | ADVANCED EHF MILSATCOM (SPACE) | 464,335 | | 464,335 |
| 039 | 0603432F | POLAR MILSATCOM (SPACE) | 253,150 | | 253,150 |
| 040 | 0603438F | SPACE CONTROL TECHNOLOGY | 97,701 | 12,500 | 110,201 |
| | | Space protection program | | [6,500] | |
| | | Space situational awareness | | [6,000] | |
| 041 | 0603742F | COMBAT IDENTIFICATION TECHNOLOGY | 27,252 | | 27,252 |
| 042 | 0603790F | NATO RESEARCH AND DEVELOPMENT | 4,351 | | 4,351 |
| 043 | 0603791F | INTERNATIONAL SPACE COOPERATIVE R&D | 632 | | 632 |
| 044 | 0603845F | TRANSFORMATIONAL SATCOM (TSAT) | | | |
| 045 | 0603850F | INTEGRATED BROADCAST SERVICE | 20,739 | | 20,739 |
| 046 | 0603851F | INTERCONTINENTAL BALLISTIC MISSILE | 66,079 | -5,000 | 61,079 |
| | | Program decrease | | [-5,000] | |
| 047 | 0603854F | WIDEBAND GLOBAL SATCOM RDT&E (SPACE) | 70,956 | | 70,956 |
| 048 | 0603859F | POLLUTION PREVENTION | 2,896 | | 2,896 |
| 049 | 0603860F | JOINT PRECISION APPROACH AND LANDING SYSTEMS. | 23,174 | | 23,174 |
| 050 | 0604015F | NEXT GENERATION BOMBER | | | |
| 051 | 0604283F | BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT | 22,612 | | 22,612 |
| 052 | 0604327F | HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM. | 20,891 | | 20,891 |
| 053 | 0604330F | JOINT DUAL ROLE AIR DOMINANCE MISSILE | 6,882 | | 6,882 |
| 054 | 0604337F | REQUIREMENTS ANALYSIS AND MATURATION | 35,533 | | 35,533 |
| 055 | 0604635F | GROUND ATTACK WEAPONS FUZE DEVELOPMENT | 18,778 | | 18,778 |
| 056 | 0604796F | ALTERNATIVE FUELS | 89,020 | | 89,020 |
| 057 | 0604830F | AUTOMATED AIR-TO-AIR REFUELING | 43,158 | | 43,158 |
| 058 | 0604856F | COMMON AERO VEHICLE (CAV) | | | |
| 059 | 0604857F | OPERATIONALLY RESPONSIVE SPACE | 112,861 | 170,000 | 282,861 |
| | | ORS smallsat imaging prototyping | | [115,000] | |
| | | ORS-1 | | [40,000] | |
| | | RSLV | | [15,000] | |

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| 060 | 0604858F | TECH TRANSITION PROGRAM | 9,611 | | 9,611 |
| 061 | 0305178F | NATIONAL POLAR-ORBITING OPERATIONAL ENVI- RONMENTAL SATELLITE SYSTEM (NPOESS). | 396,641 | 80,000 | 476,641 |
| | | Program increase | | [80,000] | |
| 061a | 604xxxxF | NEXT GENERATION MILSATCOM TECHNOLOGY DE- VELOPMENT. | | 53,000 | 53,000 |
| | | IRIS | | [3,000] | |
| | | Next generation MILSATCOM technology development | | [50,000] | |
| SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, AIR FORCE. | | | 1,795,884 | 310,500 | 2,106,384 |
| SYSTEM DEVELOPMENT & DEMONSTRATION | | | | | |
| 062 | 0603840F | GLOBAL BROADCAST SERVICE (GBS) | 31,124 | | 31,124 |
| 063 | 0604222F | NUCLEAR WEAPONS SUPPORT | 37,860 | | 37,860 |
| 064 | 0604226F | B-1B | | 2,000 | 2,000 |
| | | B-1B AESA radar | | [2,000] | |
| 065 | 0604233F | SPECIALIZED UNDERGRADUATE FLIGHT TRAINING .. | 6,227 | | 6,227 |
| 066 | 0604240F | B-2 ADVANCED TECHNOLOGY BOMBER | | | |
| 067 | 0604261F | PERSONNEL RECOVERY SYSTEMS | | | |
| 068 | 0604270F | ELECTRONIC WARFARE DEVELOPMENT | 97,275 | | 97,275 |
| 069 | 0604281F | TACTICAL DATA NETWORKS ENTERPRISE | 88,444 | | 88,444 |
| 070 | 0604287F | PHYSICAL SECURITY EQUIPMENT | 50 | | 50 |
| 071 | 0604329F | SMALL DIAMETER BOMB (SDB) | 153,815 | | 153,815 |
| 072 | 0604421F | COUNTERSPACE SYSTEMS | 64,248 | | 64,248 |
| 073 | 0604425F | SPACE SITUATION AWARENESS SYSTEMS | 308,134 | | 308,134 |
| 074 | 0604429F | AIRBORNE ELECTRONIC ATTACK | 11,107 | | 11,107 |
| 075 | 0604441F | SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD HEO ground and data exploitation | 512,642 | 15,000 [15,000] | 527,642 |
| 076 | 0604443F | THIRD GENERATION INFRARED SURVEILLANCE (3GIRS). | 143,169 | | 143,169 |
| 077 | 0604602F | ARMAMENT/ORDNANCE DEVELOPMENT | 18,671 | | 18,671 |
| 078 | 0604604F | SUBMUNITIONS | 1,784 | | 1,784 |
| 079 | 0604617F | AGILE COMBAT SUPPORT | 11,261 | | 11,261 |
| 080 | 0604706F | LIFE SUPPORT SYSTEMS | 10,711 | | 10,711 |
| 081 | 0604735F | COMBAT TRAINING RANGES | 29,718 | | 29,718 |
| 082 | 0604740F | INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A). | 10 | | 10 |
| 083 | 0604750F | INTELLIGENCE EQUIPMENT | 1,495 | | 1,495 |
| 084 | 0604800F | JOINT STRIKE FIGHTER (JSF) | 1,858,055 | 141,450 [219,450] | 1,999,505 |
| | | F136 development | | [219,450] | |
| | | Excess management reserves | | [-78,000] | |
| 085 | 0604851F | INTERCONTINENTAL BALLISTIC MISSILE | 60,010 | | 60,010 |
| 086 | 0604853F | EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE). | 26,545 | 12,000 | 38,545 |
| | | EELV metric tracking | | [12,000] | |
| 087 | 0605011F | RDT&E FOR AGING AIRCRAFT | | | |
| 088 | 0605221F | NEXT GENERATION AERIAL REFUELING AIRCRAFT ... | 439,615 | | 439,615 |
| 089 | 0605277F | CSAR-X RDT&E | 89,975 | -89,975 [-89,975] | |
| | | Use available prior year funds | | | |
| 090 | 0605278F | HC/MC-130 RECAP RDT&E | 20,582 | | 20,582 |
| 091 | 0605452F | JOINT SIAP EXECUTIVE PROGRAM OFFICE | 34,877 | | 34,877 |
| 092 | 0207434F | LINK-16 SUPPORT AND SUSTAINMENT | | | |
| 093 | 0207450F | E-10 SQUADRONS | | | |
| 094 | 0207451F | SINGLE INTEGRATED AIR PICTURE (SIAP) | 13,466 | | 13,466 |
| 095 | 0207701F | FULL COMBAT MISSION TRAINING | 99,807 | | 99,807 |
| 096 | 0305176F | COMBAT SURVIVOR EVADER LOCATOR | | | |
| 097 | 0401138F | JOINT CARGO AIRCRAFT (JCA) | 9,353 | | 9,353 |
| 098 | 0401318F | CV-22 | 19,640 | | 19,640 |
| 099 | 0401845F | AIRBORNE SENIOR LEADER C3 (SLC3S) | 20,056 | | 20,056 |
| SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, AIR FORCE. | | | 4,219,726 | 80,475 | 4,300,201 |

RDT&E MANAGEMENT SUPPORT

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------|----------------------------|---------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 100 | 0604256F | THREAT SIMULATOR DEVELOPMENT | 27,789 | | 27,789 |
| 101 | 0604759F | MAJOR T&E INVESTMENT | 60,824 | 5,000 | 65,824 |
| | | Holloman High Speed Test Track | | [5,000] | |
| 102 | 0605101F | RAND PROJECT AIR FORCE | 27,501 | | 27,501 |
| 103 | 0605502F | SMALL BUSINESS INNOVATION RESEARCH | | | |
| 104 | 0605712F | INITIAL OPERATIONAL TEST & EVALUATION | 25,833 | | 25,833 |
| 105 | 0605807F | TEST AND EVALUATION SUPPORT | 736,488 | 20,000 | 756,488 |
| | | Program increase | | [20,000] | |
| 106 | 0605860F | ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) | 14,637 | | 14,637 |
| 107 | 0605864F | SPACE TEST PROGRAM (STP) | 47,215 | | 47,215 |
| 108 | 0605976F | FACILITIES RESTORATION AND MODERNIZATION— TEST AND EVALUATION SUPPORT. | 52,409 | | 52,409 |
| 109 | 0605978F | FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT. | 29,683 | | 29,683 |
| 110 | 0702806F | ACQUISITION AND MANAGEMENT SUPPORT | 18,947 | | 18,947 |
| 111 | 0804731F | GENERAL SKILL TRAINING | 1,450 | | 1,450 |
| 112 | 0909999F | FINANCING FOR CANCELLED ACCOUNT ADJUST- MENTS | | | |
| 113 | 1001004F | INTERNATIONAL ACTIVITIES | 3,748 | | 3,748 |
| | | SUBTOTAL, RDT&E MANAGEMENT SUPPORT, AIR FORCE. | 1,046,524 | 25,000 | 1,071,524 |
| | | OPERATIONAL SYSTEMS DEVELOPMENT | | | |
| 114 | 0604263F | COMMON VERTICAL LIFT SUPPORT PLATFORM | 9,513 | | 9,513 |
| 115 | 0605024F | ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY | 47,276 | | 47,276 |
| 116 | 0605798F | ANALYSIS SUPPORT GROUP | [] | | [] |
| 117 | 0101113F | B-52 SQUADRONS | 93,930 | | 93,930 |
| 118 | 0101122F | AIR-LAUNCHED CRUISE MISSILE (ALCM) | 3,652 | | 3,652 |
| 119 | 0101126F | B-1B SQUADRONS | 148,025 | | 148,025 |
| 120 | 0101127F | B-2 SQUADRONS | 415,414 | | 415,414 |
| 121 | 0101313F | STRAT WAR PLANNING SYSTEM—USSTRATCOM | 33,836 | | 33,836 |
| 122 | 0101314F | NIGHT FIST—USSTRATCOM | 5,328 | | 5,328 |
| 123 | 0101815F | ADVANCED STRATEGIC PROGRAMS | [] | | [] |
| 124 | 0102325F | ATMOSPHERIC EARLY WARNING SYSTEM | 9,832 | | 9,832 |
| 125 | 0102326F | REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM. | 25,734 | | 25,734 |
| 126 | 0102823F | STRATEGIC AEROSPACE INTELLIGENCE SYSTEM AC- TIVITIES. | 18 | | 18 |
| 127 | 0203761F | WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND. | 11,996 | | 11,996 |
| 128 | 0205219F | MQ-9 UAV | 39,245 | | 39,245 |
| 129 | 0207040F | MULTI-PLATFORM ELECTRONIC WARFARE EQUIP- MENT. | 14,747 | | 14,747 |
| 130 | 0207131F | A-10 SQUADRONS | 9,697 | | 9,697 |
| 131 | 0207133F | F-16 SQUADRONS | 141,020 | | 141,020 |
| 132 | 0207134F | F-15E SQUADRONS | 311,167 | | 311,167 |
| 133 | 0207136F | MANNED DESTRUCTIVE SUPPRESSION | 10,748 | | 10,748 |
| 134 | 0207138F | F-22A SQUADRONS | 569,345 | | 569,345 |
| 135 | 0207161F | TACTICAL AIM MISSILES | 5,915 | | 5,915 |
| 136 | 0207163F | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM). | 49,971 | | 49,971 |
| 137 | 0207170F | JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS) .. | 2,529 | | 2,529 |
| 138 | 0207227F | COMBAT RESCUE—PARARESCUE | 2,950 | | 2,950 |
| 139 | 0207247F | AF TENCAP | 11,643 | | 11,643 |
| 140 | 0207249F | PRECISION ATTACK SYSTEMS PROCUREMENT | 2,950 | | 2,950 |
| 141 | 0207253F | COMPASS CALL | 13,019 | | 13,019 |
| 142 | 0207268F | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PRO- GRAM. | 166,563 | | 166,563 |
| 143 | 0207277F | CSAF INNOVATION PROGRAM | 4,621 | | 4,621 |
| 144 | 0207325F | JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) | 29,494 | | 29,494 |
| 145 | 0207410F | AIR & SPACE OPERATIONS CENTER (AOC) | 99,405 | | 99,405 |
| 146 | 0207412F | CONTROL AND REPORTING CENTER (CRC) | 52,508 | | 52,508 |
| 147 | 0207417F | AIRBORNE WARNING AND CONTROL SYSTEM (AWACS). | 176,040 | | 176,040 |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------|----------------------------|--------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 148 | 0207418F | TACTICAL AIRBORNE CONTROL SYSTEMS | | | |
| 149 | 0207423F | ADVANCED COMMUNICATIONS SYSTEMS | 63,782 | | 63,782 |
| 150 | 0207424F | EVALUATION AND ANALYSIS PROGRAM | [] | | [] |
| 151 | 0207431F | COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES | 1,475 | | 1,475 |
| 152 | 0207438F | THEATER BATTLE MANAGEMENT (TBM) C4I | 19,067 | | 19,067 |
| 153 | 0207445F | FIGHTER TACTICAL DATA LINK | 72,106 | | 72,106 |
| 154 | 0207446F | BOMBER TACTICAL DATA LINK | | | |
| 155 | 0207448F | C2ISR TACTICAL DATA LINK | 1,667 | | 1,667 |
| 156 | 0207449F | COMMAND AND CONTROL (C2) CONSTELLATION | 26,792 | | 26,792 |
| 157 | 0207581F | JOINT SURVEILLANCE/TARGET ATTACK RADAR SYS- TEM (JSTARS). | 140,670 | 92,000 | 232,670 |
| | | MP-RTIP integration & test on JSTARS aircraft | | [92,000] | |
| 158 | 0207590F | SEEK EAGLE | 22,071 | | 22,071 |
| 159 | 0207601F | USAF MODELING AND SIMULATION | 27,245 | | 27,245 |
| 160 | 0207605F | WARGAMING AND SIMULATION CENTERS | 7,018 | | 7,018 |
| 161 | 0207697F | DISTRIBUTED TRAINING AND EXERCISES | 6,740 | | 6,740 |
| 162 | 0208006F | MISSION PLANNING SYSTEMS | 91,995 | | 91,995 |
| 163 | 0208021F | INFORMATION WARFARE SUPPORT | 12,271 | | 12,271 |
| 164 | 0208161F | SPECIAL EVALUATION SYSTEM | [] | | [] |
| 165 | 0301310F | NATIONAL AIR INTELLIGENCE CENTER | [] | | [] |
| 166 | 0301314F | COBRA BALL | [] | | [] |
| 167 | 0301315F | MISSILE AND SPACE TECHNICAL COLLECTION | [] | | [] |
| 168 | 0301324F | FOREST GREEN | [] | | [] |
| 169 | 0301386F | GDIP COLLECTION MANAGEMENT | [] | | [] |
| 170 | 0302015F | E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC). | 26,107 | | 26,107 |
| 171 | 0303112F | AIR FORCE COMMUNICATIONS (AIRCOM) | | | |
| 172 | 0303131F | MINIMUM ESSENTIAL EMERGENCY COMMUNICA- TIONS NETWORK (MEECN). | 72,694 | | 72,694 |
| 173 | 0303140F | INFORMATION SYSTEMS SECURITY PROGRAM | 196,621 | | 196,621 |
| 174 | 0303141F | GLOBAL COMBAT SUPPORT SYSTEM | 3,375 | | 3,375 |
| 175 | 0303150F | GLOBAL COMMAND AND CONTROL SYSTEM | 3,149 | | 3,149 |
| 176 | 0303158F | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 3,087 | | 3,087 |
| 177 | 0303601F | MILSATCOM TERMINALS | 257,693 | | 257,693 |
| 179 | 0304260F | AIRBORNE SIGINT ENTERPRISE | 176,989 | | 176,989 |
| 180 | 0304311F | SELECTED ACTIVITIES | [] | | [] |
| 181 | 0304348F | ADVANCED GEOSPATIAL INTELLIGENCE (AGI) | [] | | [] |
| 182 | 0305099F | GLOBAL AIR TRAFFIC MANAGEMENT (GATM) | 6,028 | | 6,028 |
| 183 | 0305103F | CYBER SECURITY INITIATIVE | 2,065 | | 2,065 |
| 184 | 0305110F | SATELLITE CONTROL NETWORK (SPACE) | 20,991 | | 20,991 |
| 185 | 0305111F | WEATHER SERVICE | 33,531 | | 33,531 |
| 186 | 0305114F | AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS). | 9,006 | | 9,006 |
| 187 | 0305116F | AERIAL TARGETS | 54,807 | | 54,807 |
| 188 | 0305124F | SPECIAL APPLICATIONS PROGRAM | [] | | [] |
| 189 | 0305127F | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [] | | [] |
| 190 | 0305128F | SECURITY AND INVESTIGATIVE ACTIVITIES | 742 | | 742 |
| 191 | 0305142F | APPLIED TECHNOLOGY AND INTEGRATION | [] | | [] |
| 192 | 0305146F | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | 39 | | 39 |
| 194 | 0305164F | NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE). | 137,692 | | 137,692 |
| 195 | 0305165F | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS). | 52,039 | | 52,039 |
| 196 | 0305172F | COMBINED ADVANCED APPLICATIONS | [] | | [] |
| 197 | 0305173F | SPACE AND MISSILE TEST AND EVALUATION CENTER | 3,599 | | 3,599 |
| 198 | 0305174F | SPACE WARFARE CENTER | 3,009 | | 3,009 |
| 199 | 0305182F | SPACELIFT RANGE SYSTEM (SPACE) | 9,957 | | 9,957 |
| 200 | 0305193F | INTELLIGENCE SUPPORT TO INFORMATION OPER- ATIONS (IO). | 1,240 | | 1,240 |
| 201 | 0305202F | DRAGON U-2 | | | |
| 202 | 0305205F | ENDURANCE UNMANNED AERIAL VEHICLES | 73,736 | -35,000 | 38,736 |
| | | ISIS | | [-35,000] | |
| 203 | 0305206F | AIRBORNE RECONNAISSANCE SYSTEMS | 143,892 | -46,000 | 97,892 |
| | | GORGON STARE | | [-46,000] | |
| 204 | 0305207F | MANNED RECONNAISSANCE SYSTEMS | 12,846 | | 12,846 |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------|----------------------------|------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 205 | 0305208F | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 82,765 | | 82,765 |
| 206 | 0305219F | MQ-1 PREDATOR A UAV | 18,101 | 4,000 | 22,101 |
| | | Sense and avoid | | [4,000] | |
| 207 | 0305220F | RQ-4 UAV | 317,316 | | 317,316 |
| 208 | 0305221F | NETWORK-CENTRIC COLLABORATIVE TARGETING | 8,160 | | 8,160 |
| 209 | 0305265F | GPS III SPACE SEGMENT | 815,095 | | 815,095 |
| 210 | 0305614F | JSPOC MISSION SYSTEM | 131,271 | 6,000 | 137,271 |
| | | Karnac | | [6,000] | |
| 211 | 0305887F | INTELLIGENCE SUPPORT TO INFORMATION WAR- FARE. | 5,267 | | 5,267 |
| 212 | 0305906F | NCMC—TW/AA SYSTEM | | | |
| 213 | 0305913F | NUDET DETECTION SYSTEM (SPACE) | 84,021 | | 84,021 |
| 214 | 0305924F | NATIONAL SECURITY SPACE OFFICE | 10,634 | | 10,634 |
| 215 | 0305940F | SPACE SITUATION AWARENESS OPERATIONS | 54,648 | | 54,648 |
| 216 | 0307141F | INFORMATION OPERATIONS TECHNOLOGY INTEGRA- TION & TOOL DEVELOPMENT. | 30,076 | | 30,076 |
| 217 | 0308699F | SHARED EARLY WARNING (SEW) | 3,082 | | 3,082 |
| 218 | 0401115F | C-130 AIRLIFT SQUADRON | 201,250 | | 201,250 |
| 219 | 0401119F | C-5 AIRLIFT SQUADRONS (IF) | 95,266 | | 95,266 |
| 220 | 0401130F | C-17 AIRCRAFT (IF) | 161,855 | | 161,855 |
| 221 | 0401132F | C-130J PROGRAM | 30,019 | | 30,019 |
| 222 | 0401134F | LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) | 31,784 | | 31,784 |
| 223 | 0401218F | KC-135S | 10,297 | | 10,297 |
| 224 | 0401219F | KC-10S | 35,586 | | 35,586 |
| 225 | 0401221F | KC-135 TANKER REPLACEMENT | | | |
| 226 | 0401314F | OPERATIONAL SUPPORT AIRLIFT | 4,916 | | 4,916 |
| 227 | 0401839F | AIR MOBILITY TACTICAL DATA LINK | | | |
| 228 | 0408011F | SPECIAL TACTICS/COMBAT CONTROL | 8,222 | | 8,222 |
| 229 | 0702207F | DEPOT MAINTENANCE (NON-IF) | 1,508 | | 1,508 |
| 230 | 0702976F | FACILITIES RESTORATION & MODERNIZATION—LO- GISTICS | | | |
| 231 | 0708011F | INDUSTRIAL PREPAREDNESS | | | |
| 232 | 0708610F | LOGISTICS INFORMATION TECHNOLOGY (LOGIT) | 246,483 | | 246,483 |
| 233 | 0708611F | SUPPORT SYSTEMS DEVELOPMENT | 6,288 | | 6,288 |
| 234 | 0804743F | OTHER FLIGHT TRAINING | 805 | | 805 |
| 235 | 0804757F | JOINT NATIONAL TRAINING CENTER | 3,220 | | 3,220 |
| 236 | 0804772F | TRAINING DEVELOPMENTS | 1,769 | | 1,769 |
| 237 | 0808716F | OTHER PERSONNEL ACTIVITIES | 116 | | 116 |
| 238 | 0901202F | JOINT PERSONNEL RECOVERY AGENCY | 6,376 | 5,000 | 11,376 |
| | | Biometric signature and passive physiological moni- toring. | | [5,000] | |
| 239 | 0901212F | SERVICE-WIDE SUPPORT (NOT OTHERWISE AC- COUNTED FOR) | | | |
| 240 | 0901218F | CIVILIAN COMPENSATION PROGRAM | 8,174 | | 8,174 |
| 241 | 0901220F | PERSONNEL ADMINISTRATION | 10,492 | | 10,492 |
| 242 | 0901538F | FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT. | 55,991 | | 55,991 |
| 999 | 9999999 | OTHER PROGRAMS | 11,955,084 | 140,000 | 12,095,084 |
| | | SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE. | 18,751,901 | 166,000 | 18,917,901 |
| | | TOTAL, RDT&E AIR FORCE | 27,992,827 | 701,125 | 28,693,952 |
| | | RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE | | | |
| | | BASIC RESEARCH | | | |
| 001 | 0601000BR | DTRA BASIC RESEARCH INITIATIVE | 48,544 | | 48,544 |
| 002 | 0601101E | DEFENSE RESEARCH SCIENCES | 226,125 | | 226,125 |
| 003 | 0601111D8Z | GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNI- VERSITY RESEARCH | | | |
| 004 | 0601114D8Z | DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH. | | 8,000 | 8,000 |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------|----------------------------|----------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| | | <i>Program Increase</i> | | [8,000] | |
| 005 | 0601120D8Z | NATIONAL DEFENSE EDUCATION PROGRAM | 89,980 | | 89,980 |
| 006 | 0601384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 58,974 | 2,000 | 60,974 |
| | | <i>In-vitro models for bio-defense vaccines</i> | | [2,000] | |
| | | SUBTOTAL, BASIC RESEARCH, DEFENSE-WIDE | 423,623 | 10,000 | 433,623 |
| | | APPLIED RESEARCH | | | |
| 007 | 0602000D8Z | JOINT MUNITIONS TECHNOLOGY | 22,669 | | 22,669 |
| 008 | 0602227D8Z | MEDICAL FREE ELECTRON LASER | | | |
| 009 | 0602228D8Z | HISTORICALLY BLACK COLLEGES AND UNIVER- SITIES (HBCU) SCIENCE. | 15,164 | | 15,164 |
| 010 | 0602234D8Z | LINCOLN LABORATORY RESEARCH PROGRAM | 34,034 | | 34,034 |
| 011 | 0602303E | INFORMATION & COMMUNICATIONS TECHNOLOGY ... | 282,749 | -12,000 | 270,749 |
| | | <i>Content distribution</i> | | [-4,500] | |
| | | <i>CORONET</i> | | [-7,500] | |
| 012 | 0602304E | COGNITIVE COMPUTING SYSTEMS | 142,840 | -25,000 | 117,840 |
| | | <i>Cognitive networking</i> | | [-25,000] | |
| 013 | 0602383E | BIOLOGICAL WARFARE DEFENSE | 40,587 | | 40,587 |
| 014 | 0602384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 209,072 | 13,878 | 222,950 |
| | | <i>Chemical and biological infrared detector</i> | | [3,000] | |
| | | <i>Biological decontamination research</i> | | [1,000] | |
| | | <i>Funding for meritorious unfunded TMTI projects</i> | | [9,878] | |
| 015 | 0602663D8Z | JOINT DATA MANAGEMENT ADVANCED DEVELOP- MENT. | 4,940 | | 4,940 |
| 016 | 0602670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MOD- ELING (HSCB) APPLIED RESEARCH. | 9,446 | | 9,446 |
| 017 | 0602702E | TACTICAL TECHNOLOGY | 276,075 | -13,000 | 263,075 |
| | | <i>EXACTO</i> | | [-10,000] | |
| | | <i>Submersible aircraft</i> | | [-3,000] | |
| 018 | 0602715E | MATERIALS AND BIOLOGICAL TECHNOLOGY | 268,859 | | 268,859 |
| 019 | 0602716E | ELECTRONICS TECHNOLOGY | 223,841 | | 223,841 |
| 020 | 0602718BR | WEAPONS OF MASS DESTRUCTION DEFEAT TECH- NOLOGIES. | 219,130 | 2,000 | 221,130 |
| | | <i>Blast mitigation and protection</i> | | [2,000] | |
| 021 | 1160401BB | SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT | 27,384 | | 27,384 |
| 022 | 1160407BB | SOF MEDICAL TECHNOLOGY DEVELOPMENT | | | |
| | | SUBTOTAL, APPLIED RESEARCH, DEFENSE-WIDE | 1,776,790 | -34,122 | 1,742,668 |
| | | ADVANCED TECHNOLOGY DEVELOPMENT | | | |
| 023 | 0603000D8Z | JOINT MUNITIONS ADVANCED TECHNOLOGY | 23,538 | | 23,538 |
| 024 | 0603121D8Z | SO/LIC ADVANCED DEVELOPMENT | 43,808 | | 43,808 |
| 025 | 0603122D8Z | COMBATING TERRORISM TECHNOLOGY SUPPORT | 81,868 | 6,000 | 87,868 |
| | | <i>Impact and blast loading laboratory testing program</i> | | [2,500] | |
| | | <i>Reconnaissance and data exploitation systems</i> | | [3,500] | |
| 026 | 0603160BR | COUNTERPROLIFERATION INITIATIVES—PRO- LIFERATION PREVENTION AND DEFEAT. | 233,203 | | 233,203 |
| 027 | 0603175C | BALLISTIC MISSILE DEFENSE TECHNOLOGY | 109,760 | | 109,760 |
| 028 | 0603200D8Z | JOINT ADVANCED CONCEPTS | 7,817 | 3,000 | 10,817 |
| | | <i>Joint Future Theater Lift joint advanced concepts</i> | | [3,000] | |
| 029 | 0603225D8Z | JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVEL- OPMENT. | 23,276 | | 23,276 |
| 030 | 0603286E | ADVANCED AEROSPACE SYSTEMS | 338,360 | -106,000 | 232,360 |
| | | <i>Disc-rotor compound helicopter</i> | | [-5,000] | |
| | | <i>Endurance UAS programs</i> | | [-90,000] | |
| | | <i>Heliplane</i> | | [-4,000] | |
| | | <i>Triple target terminator</i> | | [-7,000] | |
| 031 | 0603287E | SPACE PROGRAMS AND TECHNOLOGY | 200,612 | | 200,612 |
| 032 | 0603384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM— ADVANCED DEVELOPMENT. | 282,235 | | 282,235 |
| 033 | 0603618D8Z | JOINT ELECTRONIC ADVANCED TECHNOLOGY | 10,838 | | 10,838 |
| 034 | 0603648D8Z | JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS <i>JCTD new starts</i> | 198,352 | -25,000 | 173,352 |
| | | | | [-25,000] | |
| 035 | 0603662D8Z | NETWORKED COMMUNICATIONS CAPABILITIES | 28,212 | | 28,212 |

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|-------------|----------------------------|-------------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 036 | 0603663D8Z | JOINT DATA MANAGEMENT RESEARCH | 4,935 | | 4,935 |
| 037 | 0603665D8Z | BIOMETRICS SCIENCE AND TECHNOLOGY | 10,993 | | 10,993 |
| 038 | 0603670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MOD- ELING (HSCB) ADVANCED DEVELOPMENT. | 11,480 | | 11,480 |
| 039 | 0603680D8Z | DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM. | 14,638 | 10,000 | 24,638 |
| | | High performance defense manufacturing technology ... | | [10,000] | |
| 040 | 0603711D8Z | JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS | 9,110 | 2,000 | 11,110 |
| | | Robotics training systems | | [2,000] | |
| 041 | 0603712S | GENERIC LOGISTICS R&D TECHNOLOGY DEM- ONSTRATIONS. | 19,043 | 41,250 | 60,293 |
| | | Alternative energy research | | [20,000] | |
| | | Biofuels program | | [4,000] | |
| | | Biomass conversion research | | [2,500] | |
| | | Fuel cell manufacturing research | | [3,750] | |
| | | Renewable power for forward operating bases | | [3,000] | |
| | | Vehicle fuel cell and hydrogen logistics program | | [8,000] | |
| 042 | 0603713S | DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY. | 29,356 | | 29,356 |
| 043 | 0603716D8Z | STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM | 69,175 | | 69,175 |
| 044 | 0603720S | MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT. | 26,310 | | 26,310 |
| 045 | 0603727D8Z | JOINT WARFIGHTING PROGRAM | 11,135 | | 11,135 |
| 046 | 0603739E | ADVANCED ELECTRONICS TECHNOLOGIES | 205,912 | | 205,912 |
| 047 | 0603745D8Z | SYNTHETIC APERTURE RADAR (SAR) COHERENT CHANGE DETECTION (CDD). | 4,864 | | 4,864 |
| 048 | 0603750D8Z | ADVANCED CONCEPT TECHNOLOGY DEMONSTRA- TIONS | | | |
| 049 | 0603755D8Z | HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM. | 221,286 | 3,000 | 224,286 |
| | | Computational design of novel materials | | [3,000] | |
| 050 | 0603760E | COMMAND, CONTROL AND COMMUNICATIONS SYS- TEMS. | 293,476 | -10,000 | 283,476 |
| | | Deep Green | | [-10,000] | |
| 051 | 0603764E | LAND WARFARE TECHNOLOGY | | | |
| 052 | 0603765E | CLASSIFIED DARPA PROGRAMS | 186,526 | | 186,526 |
| 053 | 0603766E | NETWORK-CENTRIC WARFARE TECHNOLOGY | 135,941 | | 135,941 |
| 054 | 0603767E | SENSOR TECHNOLOGY | 243,056 | -7,500 | 235,556 |
| | | SUDS | | [-7,500] | |
| 055 | 0603768E | GUIDANCE TECHNOLOGY | 37,040 | | 37,040 |
| 056 | 0603769SE | DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT. | 13,822 | | 13,822 |
| 057 | 0603781D8Z | SOFTWARE ENGINEERING INSTITUTE | 31,298 | | 31,298 |
| 058 | 0603805S | DUAL USE TECHNOLOGY | | | |
| 059 | 0603826D8Z | QUICK REACTION SPECIAL PROJECTS | 107,984 | -13,200 | 94,784 |
| | | Quick Reaction Fund | | [-15,000] | |
| | | Special warfare domain awareness | | [1,800] | |
| 060 | 0603828D8Z | JOINT EXPERIMENTATION | 124,480 | -5,000 | 119,480 |
| | | Space control and GPS experimentation | | [-5,000] | |
| 061 | 0603832D8Z | DOD MODELING AND SIMULATION MANAGEMENT OFFICE. | 38,505 | | 38,505 |
| 062 | 0603941D8Z | TEST & EVALUATION SCIENCE & TECHNOLOGY | 95,734 | | 95,734 |
| 063 | 0603942D8Z | TECHNOLOGY TRANSFER | 2,219 | | 2,219 |
| 064 | 0909999D8Z | FINANCING FOR CANCELLED ACCOUNT ADJUST- MENTS | | | |
| 065 | 1160402BB | SPECIAL OPERATIONS ADVANCED TECHNOLOGY DE- VELOPMENT. | 31,675 | 1,600 | 33,275 |
| | | Lithium ion battery safety research | | [1,600] | |
| 066 | 1160422BB | AVIATION ENGINEERING ANALYSIS | 3,544 | | 3,544 |
| 067 | 1160472BB | SOF INFORMATION AND BROADCAST SYSTEMS AD- VANCED TECHNOLOGY. | 4,988 | | 4,988 |
| | | SUBTOTAL, ADVANCED TECHNOLOGY DEVELOP- MENT, DEFENSE-WIDE. | 3,570,404 | -99,850 | 3,470,554 |

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|-------------------------------------------------------------------------------------|----------------------------|-----------------------------------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES | | | | | |
| 068 | 0603161D8Z | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P. | 36,019 | | 36,019 |
| 069 | 0603228D8Z | PHYSICAL SECURITY EQUIPMENT | | | |
| 070 | 0603527D8Z | RETRACT LARCH | 21,718 | | 21,718 |
| 071 | 0603709D8Z | JOINT ROBOTICS PROGRAM | 11,803 | | 11,803 |
| 072 | 0603714D8Z | ADVANCED SENSOR APPLICATIONS PROGRAM | 17,771 | | 17,771 |
| 073 | 0603851D8Z | ENVIRONMENTAL SECURITY TECHNICAL CERTIFI- CATION PROGRAM. | 31,613 | | 31,613 |
| 074 | 0603881C | BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT. | 719,465 | | 719,465 |
| 075 | 0603882C | BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT. | 982,922 | | 982,922 |
| 076 | 0603883C | BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEG- MENT. | 186,697 | | 186,697 |
| 077 | 0603884BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM Real-time non-specific viral agent detector | 205,952 | 2,000 [2,000] | 207,952 |
| 078 | 0603884C | BALLISTIC MISSILE DEFENSE SENSORS | 636,856 | 5,000 [5,000] | 641,856 |
| | | Airborne infrared surveillance technology | | | |
| 079 | 0603886C | BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR | | | |
| 080 | 0603888C | BALLISTIC MISSILE DEFENSE TEST & TARGETS | 966,752 | | 966,752 |
| 081 | 0603890C | BMD ENABLING PROGRAMS | 369,145 | | 369,145 |
| 082 | 0603891C | SPECIAL PROGRAMS—MDA | 301,566 | | 301,566 |
| 083 | 0603892C | AEGIS BMD | 1,690,758 | -30,000 [-30,000] | 1,660,758 |
| | | Excess to execution | | | |
| 084 | 0603893C | SPACE TRACKING & SURVEILLANCE SYSTEM | 180,000 | | 180,000 |
| 085 | 0603894C | MULTIPLE KILL VEHICLE | | | |
| 086 | 0603895C | BALLISTIC MISSILE DEFENSE SYSTEM SPACE PRO- GRAMS. | 12,549 | | 12,549 |
| 087 | 0603896C | BALLISTIC MISSILE DEFENSE COMMAND AND CON- TROL, BATTLE MANAGEMENT AND COMMUNICA- TION. | 340,014 | | 340,014 |
| 088 | 0603897C | BALLISTIC MISSILE DEFENSE HERCULES | 48,186 | | 48,186 |
| 089 | 0603898C | BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT. | 60,921 | | 60,921 |
| 090 | 0603904C | MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC). | 86,949 | | 86,949 |
| 091 | 0603906C | REGARDING TRENCH | 6,164 | | 6,164 |
| 092 | 0603907C | SEA BASED X-BAND RADAR (SBX) | 174,576 | | 174,576 |
| 093 | 0603908C | BMD EUROPEAN INTERCEPTOR SITE | | | |
| 094 | 0603909C | BMD EUROPEAN MIDCOURSE RADAR | | | |
| 095 | 0603911C | BMD EUROPEAN CAPABILITY | 50,504 | | 50,504 |
| 096 | 0603912C | BMD EUROPEAN COMMUNICATIONS SUPPORT | | | |
| 097 | 0603913C | ISRAELI COOPERATIVE PROGRAMS | 119,634 | 25,000 [25,000] | 144,634 |
| | | Short-range ballistic missile defense | | | |
| 098 | 0603920D8Z | HUMANITARIAN DEMINING | 14,687 | | 14,687 |
| 099 | 0603923D8Z | COALITION WARFARE | 13,885 | | 13,885 |
| 100 | 0604016D8Z | DEPARTMENT OF DEFENSE CORROSION PROGRAM ... Corrosion control research | 4,887 | 3,500 [3,500] | 8,387 |
| 101 | 0604400D8Z | DEPARTMENT OF DEFENSE (DOD) UNMANNED AIR- CRAFT SYSTEM (UAS) COMMON DEVELOPMENT. | 55,289 | | 55,289 |
| 102 | 0604648D8Z | JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS | 18,577 | | 18,577 |
| 103 | 0604670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MOD- ELING (HSCB) RESEARCH AND ENGINEERING. | 7,006 | | 7,006 |
| 104 | 0604787D8Z | JOINT SYSTEMS INTEGRATION COMMAND (JSIC) Systems engineering and prototyping program | 19,744 | 50,000 [50,000] | 69,744 |
| 105 | 0604828D8Z | JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM. | 16,972 | | 16,972 |
| 106 | 0605017D8Z | REDUCTION OF TOTAL OWNERSHIP COST | 24,647 | | 24,647 |
| 107 | 0303191D8Z | JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PRO- GRAM. | 3,949 | | 3,949 |
| SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, DEFENSE-WIDE. | | | 7,438,177 | 55,500 | 7,493,677 |

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| SYSTEM DEVELOPMENT & DEMONSTRATION | | | | | |
| 108 | 0604051D8Z | DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP). | 28,862 | | 28,862 |
| 109 | 0604161D8Z | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD. | 7,628 | | 7,628 |
| 110 | 0604165D8Z | PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT. | 166,913 | | 166,913 |
| 111 | 0604384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 332,895 | | 332,895 |
| 112 | 0604709D8Z | JOINT ROBOTICS PROGRAM | 5,127 | | 5,127 |
| 113 | 0604764K | ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO). | 39,911 | | 39,911 |
| 114 | 0604771D8Z | JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS). | 20,633 | | 20,633 |
| 115 | 0605000BR | WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES. | 8,735 | | 8,735 |
| 116 | 0605013BL | INFORMATION TECHNOLOGY DEVELOPMENT | 11,705 | | 11,705 |
| 117 | 0605018BTA | DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS). | 70,000 | | 70,000 |
| 118 | 0605020BTA | BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES. | 197,008 | | 197,008 |
| 119 | 0605021SE | HOMELAND PERSONNEL SECURITY INITIATIVE | 395 | | 395 |
| 120 | 0605027D8Z | OUSDC(C) IT DEVELOPMENT INITIATIVES | 5,000 | | 5,000 |
| 121 | 0605140D8Z | TRUSTED FOUNDRY | 41,223 | | 41,223 |
| 122 | 0605648D8Z | DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM. | 4,267 | | 4,267 |
| 123 | 0303141K | GLOBAL COMBAT SUPPORT SYSTEM | 18,431 | | 18,431 |
| 124 | 0303158K | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 49,047 | | 49,047 |
| SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, DEFENSE-WIDE. | | | 1,007,780 | | 1,007,780 |
| RDT&E MANAGEMENT SUPPORT | | | | | |
| 125 | 0807708D8Z | WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WII-SOC) STAFF OFFICE. | 1,609 | | 1,609 |
| 126 | 0603757D8Z | TRAINING TRANSFORMATION (T2) | | | |
| 127 | 0604774D8Z | DEFENSE READINESS REPORTING SYSTEM (DRRS) | 13,121 | | 13,121 |
| 128 | 0604875D8Z | JOINT SYSTEMS ARCHITECTURE DEVELOPMENT | 15,247 | | 15,247 |
| 129 | 0604940D8Z | CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP). | 145,052 | 4,000 | 149,052 |
| | | SAM hardware simulators | | [4,000] | |
| 130 | 0604943D8Z | THERMAL VICAR | 9,045 | | 9,045 |
| 131 | 0605100D8Z | JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC). | 9,455 | | 9,455 |
| 132 | 0605104D8Z | TECHNICAL STUDIES, SUPPORT AND ANALYSIS | 44,760 | | 44,760 |
| 133 | 0605110D8Z | USD (A&T)—CRITICAL TECHNOLOGY SUPPORT | 4,914 | | 4,914 |
| 134 | 0605117D8Z | FOREIGN MATERIAL ACQUISITION AND EXPLOITATION. | 94,921 | | 94,921 |
| 135 | 0605126J | JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO). | 96,909 | | 96,909 |
| 136 | 0605128D8Z | CLASSIFIED PROGRAM USD(P) | | | |
| 137 | 0605130D8Z | FOREIGN COMPARATIVE TESTING | 35,054 | | 35,054 |
| 138 | 0605161D8Z | NUCLEAR MATTERS-PHYSICAL SECURITY | 6,474 | | 6,474 |
| 139 | 0605170D8Z | SUPPORT TO NETWORKS AND INFORMATION INTEGRATION. | 14,916 | | 14,916 |
| 140 | 0605200D8Z | GENERAL SUPPORT TO USD (INTELLIGENCE) | 5,888 | | 5,888 |
| 141 | 0605384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 106,477 | | 106,477 |
| 142 | 0605502BR | SMALL BUSINESS INNOVATION RESEARCH | | | |
| 143 | 0605502C | SMALL BUSINESS INNOVATIVE RESEARCH—MDA | | | |
| 144 | 0605502D8Z | SMALL BUSINESS INNOVATIVE RESEARCH | | | |
| 145 | 0605502E | SMALL BUSINESS INNOVATIVE RESEARCH | | | |
| 146 | 0605502S | SMALL BUSINESS INNOVATIVE RESEARCH | | | |
| 147 | 0605790D8Z | SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTRATION. | 2,163 | 3,000 | 5,163 |
| | | Anti-tamper software systems | | [3,000] | |

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| 148 | 0605798D8Z | DEFENSE TECHNOLOGY ANALYSIS | 11,005 | | 11,005 |
| 149 | 0605798S | DEFENSE TECHNOLOGY ANALYSIS | | | |
| 150 | 0605799D8Z | FORCE TRANSFORMATION DIRECTORATE | 19,981 | | 19,981 |
| 151 | 0605801KA | DEFENSE TECHNICAL INFORMATION CENTER (DTIC) | 54,411 | | 54,411 |
| 152 | 0605803SE | R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION. | 19,554 | | 19,554 |
| 153 | 0605804D8Z | DEVELOPMENT TEST AND EVALUATION | 23,512 | | 23,512 |
| 154 | 0605897E | DARPA AGENCY RELOCATION | 45,000 | | 45,000 |
| 155 | 0605898E | MANAGEMENT HQ—R&D | 51,055 | | 51,055 |
| 156 | 0606100D8Z | BUDGET AND PROGRAM ASSESSMENTS | 5,929 | | 5,929 |
| 157 | 0606301D8Z | AVIATION SAFETY TECHNOLOGIES | 8,000 | | 8,000 |
| 158 | 0204571J | JOINT STAFF ANALYTICAL SUPPORT | 1,250 | | 1,250 |
| 159 | 0301555G | CLASSIFIED PROGRAMS | [] | | [] |
| 160 | 0301556G | SPECIAL PROGRAM | [] | | [] |
| 161 | 0303166D8Z | SUPPORT TO INFORMATION OPERATIONS (IO) CAPA- BILITIES. | 30,604 | | 30,604 |
| 162 | 0303169D8Z | INFORMATION TECHNOLOGY RAPID ACQUISITION | 4,667 | | 4,667 |
| 163 | 0305103E | CYBER SECURITY INITIATIVE | 50,000 | -19,600 | 30,400 |
| | | Program decrease | | [-19,600] | |
| 164 | 0305193D8Z | INTELLIGENCE SUPPORT TO INFORMATION OPER- ATIONS (IO). | 20,648 | | 20,648 |
| 165 | 0305193G | INTELLIGENCE SUPPORT TO INFORMATION OPER- ATIONS (IO). | [] | | [] |
| 166 | 0305400D8Z | WARFIGHTING AND INTELLIGENCE-RELATED SUP- PORT. | 829 | | 829 |
| 167 | 0804767D8Z | COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2). | 34,306 | | 34,306 |
| 168 | 0901585C | PENTAGON RESERVATION | 19,709 | | 19,709 |
| 169 | 0901598C | MANAGEMENT HQ—MDA | 57,403 | | 57,403 |
| 170 | 0901598D8W | IT SOFTWARE DEV INITIATIVES | 980 | | 980 |
| | | SUBTOTAL, RDT&E MANAGEMENT SUPPORT, DE- FENSE-WIDE. | 1,064,848 | -12,600 | 1,052,248 |
| | | OPERATIONAL SYSTEMS DEVELOPMENT | | | |
| 171 | 0604130V | DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS). | 1,384 | | 1,384 |
| 172 | 0605127T | REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA. | 2,001 | | 2,001 |
| 173 | 0605147T | OVERSEAS HUMANITARIAN ASSISTANCE SHARED IN- FORMATION SYSTEM (OHAIS). | 292 | | 292 |
| 174 | 0607384BP | CHEMICAL AND BIOLOGICAL DEFENSE (OPER- ATIONAL SYSTEMS DEVELOPMENT). | 6,198 | | 6,198 |
| 175 | 0607828D8Z | JOINT INTEGRATION AND INTEROPERABILITY | 46,214 | | 46,214 |
| 176 | 0204571J | JOINT STAFF ANALYTICAL SUPPORT | | | |
| 177 | 0208043J | CLASSIFIED PROGRAMS | 2,179 | | 2,179 |
| 178 | 0208045K | C4I INTEROPERABILITY | 74,786 | | 74,786 |
| 180 | 0301144K | JOINT/ALLIED COALITION INFORMATION SHARING ... | 10,767 | | 10,767 |
| 181 | 0301301L | GENERAL DEFENSE INTELLIGENCE PROGRAM | [] | | [] |
| 182 | 0301318BB | HUMINT (CONTROLLED) | [] | | [] |
| 183 | 0301371G | CYBER SECURITY INITIATIVE—CCP | [] | | [] |
| 184 | 0301372L | CYBER SECURITY INITIATIVE—GDIP | [] | | [] |
| 185 | 0301555BZ | CLASSIFIED PROGRAMS | [] | | [] |
| 186 | 0301556BZ | SPECIAL PROGRAM | [] | | [] |
| 187 | 0302016K | NATIONAL MILITARY COMMAND SYSTEM-WIDE SUP- PORT. | 548 | | 548 |
| 188 | 0302019K | DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION. | 17,655 | | 17,655 |
| 189 | 0303126K | LONG-HAUL COMMUNICATIONS—DCS | 9,406 | | 9,406 |
| 190 | 0303131K | MINIMUM ESSENTIAL EMERGENCY COMMUNICA- TIONS NETWORK (MEECN). | 9,830 | | 9,830 |
| 191 | 0303135G | PUBLIC KEY INFRASTRUCTURE (PKI) | 8,116 | | 8,116 |
| 192 | 0303136G | KEY MANAGEMENT INFRASTRUCTURE (KMI) | 41,002 | | 41,002 |
| 193 | 0303140D8Z | INFORMATION SYSTEMS SECURITY PROGRAM | 13,477 | | 13,477 |
| 194 | 0303140G | INFORMATION SYSTEMS SECURITY PROGRAM | 408,316 | 1,800 | 410,116 |

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| | | Software assurance courseware | | [1,800] | |
| 195 | 0303140K | INFORMATION SYSTEMS SECURITY PROGRAM | | | |
| 196 | 0303148K | DISA MISSION SUPPORT OPERATIONS | 1,205 | | 1,205 |
| 197 | 0303149J | C4I FOR THE WARRIOR | 4,098 | | 4,098 |
| 198 | 0303150K | GLOBAL COMMAND AND CONTROL SYSTEM | 23,761 | | 23,761 |
| 199 | 0303153K | JOINT SPECTRUM CENTER | 18,944 | | 18,944 |
| 200 | 0303170K | NET-CENTRIC ENTERPRISE SERVICES (NCES) | 1,782 | | 1,782 |
| 201 | 0303260D8Z | JOINT MILITARY DECEPTION INITIATIVE | 942 | | 942 |
| 202 | 0303610K | TELEPORT PROGRAM | 5,239 | | 5,239 |
| 203 | 0304210BB | SPECIAL APPLICATIONS FOR CONTINGENCIES | 16,381 | | 16,381 |
| 204 | 0304345BQ | NATIONAL GEOSPATIAL-INTELLIGENCE PROGRAM (NGP). | [] | | [] |
| 206 | 0305103D8Z | CYBER SECURITY INITIATIVE | 993 | | 993 |
| 207 | 0305103G | CYBER SECURITY INITIATIVE | [] | | [] |
| 208 | 0305103K | CYBER SECURITY INITIATIVE | 10,080 | | 10,080 |
| 209 | 0305125D8Z | CRITICAL INFRASTRUCTURE PROTECTION (CIP) | 12,725 | | 12,725 |
| 210 | 0305127BZ | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | | | |
| 211 | 0305127L | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [] | | [] |
| 212 | 0305146BZ | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [] | | [] |
| 213 | 0305146L | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [] | | [] |
| 214 | 0305183L | DEFENSE HUMAN INTELLIGENCE (HUMINT) ACTIVI- TIES. | [] | | [] |
| 215 | 0305186D8Z | POLICY R&D PROGRAMS | 6,948 | -6,000 | 948 |
| | | Program reduction | | [-6,000] | |
| 216 | 0305193L | INTELLIGENCE SUPPORT TO INFORMATION OPER- ATIONS (IO) | | | |
| 217 | 0305199D8Z | NET CENTRICITY | 1,479 | | 1,479 |
| 218 | 0305202G | DRAGON U-2 | [] | | [] |
| 219 | 0305206G | AIRBORNE RECONNAISSANCE SYSTEMS | [] | | [] |
| 220 | 0305207G | MANNED RECONNAISSANCE SYSTEMS | | | |
| 221 | 0305208BB | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 1,407 | | 1,407 |
| 222 | 0305208BQ | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [] | | [] |
| 223 | 0305208G | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [] | | [] |
| 224 | 0305208K | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 3,158 | | 3,158 |
| 225 | 0305208L | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [] | | [] |
| 226 | 0305219BB | MQ-1 PREDATOR A UAV | 2,067 | | 2,067 |
| 227 | 0305229G | REAL-TIME ARCHITECTURE DEVELOPMENT (RT10) | [] | | [] |
| 228 | 0305387D8Z | HOMELAND DEFENSE TECHNOLOGY TRANSFER PRO- GRAM. | 2,963 | | 2,963 |
| 229 | 0305600D8Z | INTERNATIONAL INTELLIGENCE TECHNOLOGY AS- SESSMENT, ADVANCEMENT AND INTEGRATION. | 1,389 | | 1,389 |
| 230 | 0305866L | DIA SUPPORT TO SOUTHCOM INTELLIGENCE ACTIVI- TIES | | | |
| 231 | 0305880L | COMBATANT COMMAND INTELLIGENCE OPERATIONS | | | |
| 232 | 0305883L | HARD AND DEEPLY BURIED TARGET (HDBT) INTEL SUPPORT. | [] | | [] |
| 233 | 0305884L | INTELLIGENCE PLANNING AND REVIEW ACTIVITIES .. Technology applications for security enhancement | [] | [4,000] [4,000] | [] |
| 235 | 0305889G | COUNTERDRUG INTELLIGENCE SUPPORT | | | |
| 236 | 0307141G | INFORMATION OPERATIONS TECHNOLOGY INTEGRA- TION & TOOL DEV. | [] | | [] |
| 237 | 0307207G | AERIAL COMMON SENSOR (ACS) | [] | | [] |
| 238 | 0708011S | INDUSTRIAL PREPAREDNESS | 20,514 | 40,000 | 60,514 |
| | | Advanced microcircuit emulation | | [4,500] | |
| | | Castings for improved defense readiness | | [3,000] | |
| | | Industrial Base Innovation Fund | | [30,000] | |
| | | Insensitive munitions manufacturing | | [2,500] | |
| 239 | 0708012S | LOGISTICS SUPPORT ACTIVITIES | 2,798 | | 2,798 |
| 240 | 0902298J | MANAGEMENT HEADQUARTERS (JCS) | 8,303 | | 8,303 |
| 241 | 1001018D8Z | NATO AGS | 74,485 | | 74,485 |
| 242 | 1105219BB | MQ-9 UAV | 4,380 | | 4,380 |
| 243 | 1130435BB | STORM | | | |
| 244 | 1160279BB | SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG | | | |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------|------------------------|-----------------------------------------------------------------|------------------------|----------------------|--------------------------|
| 245 | 1160403BB | SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT. | 82,621 | | 82,621 |
| 246 | 1160404BB | SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT. | 6,182 | | 6,182 |
| 247 | 1160405BB | SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT. | 21,273 | 5,000 | 26,273 |
| | | Long endurance unattended ground sensor technologies | | [5,000] | |
| 248 | 1160408BB | SOF OPERATIONAL ENHANCEMENTS | 60,310 | | 60,310 |
| 249 | 1160421BB | SPECIAL OPERATIONS CV-22 DEVELOPMENT | 12,687 | | 12,687 |
| 250 | 1160423BB | JOINT MULTI-MISSION SUBMERSIBLE | 43,412 | | 43,412 |
| 251 | 1160425BB | SPECIAL OPERATIONS AIRCRAFT DEFENSIVE SYSTEMS | | | |
| 252 | 1160426BB | OPERATIONS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DEVELOPMENT. | 1,321 | | 1,321 |
| 253 | 1160427BB | MISSION TRAINING AND PREPARATION SYSTEMS (MTPS). | 3,192 | | 3,192 |
| 254 | 1160428BB | UNMANNED VEHICLES (UV) | | | |
| 255 | 1160429BB | MC130J SOF TANKER RECAPITALIZATION | 5,957 | | 5,957 |
| 256 | 1160474BB | SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS. | 733 | | 733 |
| 257 | 1160476BB | SOF TACTICAL RADIO SYSTEMS | 2,368 | | 2,368 |
| 258 | 1160477BB | SOF WEAPONS SYSTEMS | 1,081 | | 1,081 |
| 259 | 1160478BB | SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS | 597 | | 597 |
| 260 | 1160479BB | SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS. | 3,369 | | 3,369 |
| 261 | 1160480BB | SOF TACTICAL VEHICLES | 1,973 | | 1,973 |
| 262 | 1160482BB | SOF ROTARY WING AVIATION | 18,863 | | 18,863 |
| 263 | 1160483BB | SOF UNDERWATER SYSTEMS | 3,452 | | 3,452 |
| 264 | 1160484BB | SOF SURFACE CRAFT | 12,250 | | 12,250 |
| 265 | 1160488BB | SOF PSYOP | 9,887 | | 9,887 |
| 266 | 1160489BB | SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES | 4,944 | | 4,944 |
| 267 | 1160490BB | SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE | 11,547 | | 11,547 |
| 999 | 9999999 | OTHER PROGRAMS | 4,273,689 | 4,000 | 4,277,689 |
| | | SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, DEFENSE-WIDE. | 5,459,920 | 44,800 | 5,504,720 |
| | | DARPA execution adjustment | | -150,000 | -150,000 |
| | | Total, RDT&E Defense-Wide | 20,741,542 | -186,272 | 20,555,270 |
| | | OPERATIONAL TEST & EVALUATION, DEFENSE | | | |
| 001 | 0605118OTE | OPERATIONAL TEST AND EVALUATION | 58,647 | | 58,647 |
| 002 | 0605131OTE | LIVE FIRE TEST AND EVALUATION | 12,285 | | 12,285 |
| 003 | 0605814OTE | OPERATIONAL TEST ACTIVITIES AND ANALYSES | 119,838 | | 119,838 |
| | | Total, Operational Test & Evaluation, Defense | 190,770 | | 190,770 |
| | | TOTAL RDT&E | 78,634,289 | 1,266,402 | 79,900,691 |

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------|------------------------|-----------------------------------------------------------|------------------------|----------------------|--------------------------|
| | | RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY | | | |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|----------------------------------------------------------------|----------------------------|-------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| SYSTEM DEVELOPMENT & DEMONSTRATION | | | | | |
| 075 | 0604270A | ELECTRONIC WARFARE DEVELOPMENT | 18,598 | | 18,598 |
| | | SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY. | 18,598 | | 18,598 |
| OPERATIONAL SYSTEMS DEVELOPMENT | | | | | |
| 160 | 0301359A | SPECIAL ARMY PROGRAM | [] | | [] |
| 161 | 0303028A | SECURITY AND INTELLIGENCE ACTIVITIES | 7,644 | | 7,644 |
| 162 | 0303140A | INFORMATION SYSTEMS SECURITY PROGRAM | 2,220 | | 2,220 |
| 167 | 0305204A | TACTICAL UNMANNED AERIAL VEHICLES | 29,500 | | 29,500 |
| | | SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, ARMY. | 39,364 | | 39,364 |
| | | TOTAL, RDT&E ARMY | 57,962 | | 57,962 |
| RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY | | | | | |
| ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES | | | | | |
| 027 | 0603216N | AVIATION SURVIVABILITY | 8,000 | | 8,000 |
| 041 | 0603561N | ADVANCED SUBMARINE SYSTEM DEVELOPMENT | 9,000 | | 9,000 |
| | | SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY. | 17,000 | | 17,000 |
| OPERATIONAL SYSTEMS DEVELOPMENT | | | | | |
| 188 | 0301303N | MARITIME INTELLIGENCE | [] | | [] |
| 189 | 0301323N | COLLECTION MANAGEMENT | [] | | [] |
| 190 | 0301327N | TECHNICAL RECONNAISSANCE AND SURVEILLANCE ... | [] | | [] |
| 191 | 0301372N | CYBER SECURITY INITIATIVE—GDIP | [] | | [] |
| 203 | 0305207N | MANNED RECONNAISSANCE SYSTEMS | 51,900 | | 51,900 |
| 210 | 0305234N | SMALL (LEVEL 0) TACTICAL UAS (STUASL0) | 6,000 | | 6,000 |
| 999 | 9999999 | OTHER PROGRAMS | 32,280 | | 32,280 |
| | | SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, RDT&E. | 90,180 | | 90,180 |
| | | TOTAL, RDT&E NAVY | 107,180 | | 107,180 |
| RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE | | | | | |
| BASIC RESEARCH | | | | | |
| 004 | 0301555F | CLASSIFIED PROGRAMS | [] | | [] |
| 005 | 0301556F | SPECIAL PROGRAM | [] | | [] |
| | | SUBTOTAL, BASIC RESEARCH, AIR FORCE | | | |
| OPERATIONAL SYSTEMS DEVELOPMENT | | | | | |
| 116 | 0605798F | ANALYSIS SUPPORT GROUP | [] | | [] |
| 123 | 0101815F | ADVANCED STRATEGIC PROGRAMS | [] | | [] |
| 128 | 0205219F | MQ-9 UAV | 1,400 | | 1,400 |
| 149 | 0207423F | ADVANCED COMMUNICATIONS SYSTEMS | 9,375 | | 9,375 |
| 150 | 0207424F | EVALUATION AND ANALYSIS PROGRAM | [] | | [] |
| 164 | 0208161F | SPECIAL EVALUATION SYSTEM | [] | | [] |
| 165 | 0301310F | NATIONAL AIR INTELLIGENCE CENTER | [] | | [] |
| 166 | 0301314F | COBRA BALL | [] | | [] |
| 167 | 0301315F | MISSILE AND SPACE TECHNICAL COLLECTION | [] | | [] |
| 168 | 0301324F | FOREST GREEN | [] | | [] |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-----------------------------------------------------------------------------|----------------------------|----------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 169 | 0301386F | GDIP COLLECTION MANAGEMENT | [] | | [] |
| 180 | 0304311F | SELECTED ACTIVITIES | [] | | [] |
| 181 | 0304348F | ADVANCED GEOSPATIAL INTELLIGENCE (AGI) | [] | | [] |
| 188 | 0305124F | SPECIAL APPLICATIONS PROGRAM | [] | | [] |
| 189 | 0305127F | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [] | | [] |
| 191 | 0305142F | APPLIED TECHNOLOGY AND INTEGRATION | [] | | [] |
| 196 | 0305172F | COMBINED ADVANCED APPLICATIONS | [] | | [] |
| 206 | 0305219F | MQ-1 PREDATOR A UAV | 1,400 | | 1,400 |
| 999 | 9999999 | OTHER PROGRAMS | 17,111 | | 17,111 |
| SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE. | | | 29,286 | | 29,286 |
| TOTAL, RDT&E AIR FORCE | | | 29,286 | | 29,286 |
| RESEARCH, DEVELOPMENT, TEST & EVALUATION, DE- FENSE-WIDE | | | | | |
| RDT&E MANAGEMENT SUPPORT | | | | | |
| 159 | 0301555G | CLASSIFIED PROGRAMS | [] | | [] |
| 160 | 0301556G | SPECIAL PROGRAM | [] | | [] |
| 165 | 0305193G | INTELLIGENCE SUPPORT TO INFORMATION OPER- ATIONS (IO). | [] | | [] |
| SUBTOTAL, RDT&E MANAGEMENT SUPPORT, DE- FENSE-WIDE | | | | | |
| OPERATIONAL SYSTEMS DEVELOPMENT | | | | | |
| 181 | 0301301L | GENERAL DEFENSE INTELLIGENCE PROGRAM | [] | | [] |
| 182 | 0301318BB | HUMINT (CONTROLLED) | [] | | [] |
| 183 | 0301371G | CYBER SECURITY INITIATIVE—CCP | [] | | [] |
| 184 | 0301372L | CYBER SECURITY INITIATIVE—GDIP | [] | | [] |
| 185 | 0301555BZ | CLASSIFIED PROGRAMS | [] | | [] |
| 186 | 0301556BZ | SPECIAL PROGRAM | [] | | [] |
| 198 | 0303150K | GLOBAL COMMAND AND CONTROL SYSTEM | 2,750 | | 2,750 |
| 204 | 0304345BQ | NATIONAL GEOSPATIAL-INTELLIGENCE PROGRAM (NGP). | [] | | [] |
| 207 | 0305103G | CYBER SECURITY INITIATIVE | [] | | [] |
| 211 | 0305127L | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [] | | [] |
| 212 | 0305146BZ | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [] | | [] |
| 213 | 0305146L | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [] | | [] |
| 214 | 0305183L | DEFENSE HUMAN INTELLIGENCE (HUMINT) ACTIVI- TIES. | [] | | [] |
| 218 | 0305202G | DRAGON U-2 | [] | | [] |
| 219 | 0305206G | AIRBORNE RECONNAISSANCE SYSTEMS | [] | | [] |
| 221 | 0305208BB | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [] | | [] |
| 222 | 0305208BQ | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [] | | [] |
| 223 | 0305208G | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [] | | [] |
| 225 | 0305208L | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [] | | [] |
| 226 | 0305219BB | MQ-1 PREDATOR A UAV | [] | | [] |
| 227 | 0305229G | REAL-TIME ARCHITECTURE DEVELOPMENT (RT10) | [] | | [] |
| 231 | 0305880L | COMBATANT COMMAND INTELLIGENCE OPERATIONS | [] | | [] |
| 232 | 0305883L | HARD AND DEEPLY BURIED TARGET (HDBT) INTEL SUPPORT. | [] | | [] |
| 233 | 0305884L | INTELLIGENCE PLANNING AND REVIEW ACTIVITIES ... | [] | | [] |
| 236 | 0307141G | INFORMATION OPERATIONS TECHNOLOGY INTEGRA- TION & TOOL DEV. | [] | | [] |
| 237 | 0307207G | AERIAL COMMON SENSOR (ACS) | [] | | [] |
| 999 | 9999999 | OTHER PROGRAMS | 113,076 | | 113,076 |
| SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, DEFENSE-WIDE. | | | 115,826 | | 115,826 |
| Total, RDT&E Defense-Wide | | | 115,826 | | 115,826 |

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------|----------------------------|------------------------------|----------------------------|--------------------------|------------------------------|
| | | TOTAL RDT&E | 310,254 | | 310,254 |

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| <i>Account</i> | <i>Line</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|----------------|-------------|------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| | | Operation and Maintenance, Army | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | LAND FORCES | | | |
| 2020 | 010 | MANEUVER UNITS | 1,020,490 | | 1,020,490 |
| 2020 | 020 | MODULAR SUPPORT BRIGADES | 105,178 | | 105,178 |
| 2020 | 030 | ECHELONS ABOVE BRIGADE | 708,038 | | 708,038 |
| 2020 | 040 | THEATER LEVEL ASSETS | 718,233 | | 718,233 |
| 2020 | 050 | LAND FORCES OPERATIONS SUPPORT | 1,379,529 | | 1,379,529 |
| 2020 | 060 | AVIATION ASSETS | 850,750 | | 850,750 |
| | | LAND FORCES READINESS | | | |
| 2020 | 070 | FORCE READINESS OPERATIONS SUPPORT | 2,088,233 | 8,000 | 2,096,233 |
| | | Generation III extended cold weather clothing system | | [8,000] | |
| 2020 | 080 | LAND FORCES SYSTEMS READINESS | 633,704 | | 633,704 |
| 2020 | 090 | LAND FORCES DEPOT MAINTENANCE | 692,601 | | 692,601 |
| | | LAND FORCES READINESS SUPPORT | | | |
| 2020 | 100 | BASE OPERATIONS SUPPORT | 7,586,455 | | 7,586,455 |
| 2020 | 110 | FACILITIES SUSTAINMENT, RESTORATION, & MOD-ERNIZATION. | 2,221,446 | | 2,221,446 |
| 2020 | 120 | MANAGEMENT AND OPERATIONAL HQ | 333,119 | | 333,119 |
| 2020 | 130 | COMBATANT COMMANDERS CORE OPERATIONS | 123,163 | | 123,163 |
| 2020 | 170 | COMBATANT COMMANDERS ANCILLARY MISSIONS | 460,159 | | 460,159 |
| | | TOTAL, BA 01: OPERATING FORCES | 18,921,098 | 8,000 | 18,929,098 |
| | | BUDGET ACTIVITY 02: MOBILIZATION | | | |
| | | MOBILITY OPERATIONS | | | |
| 2020 | 180 | STRATEGIC MOBILITY | 228,376 | | 228,376 |
| 2020 | 190 | ARMY PREPOSITIONING STOCKS | 98,129 | | 98,129 |
| 2020 | 200 | INDUSTRIAL PREPAREDNESS | 5,705 | | 5,705 |
| | | TOTAL, BA 02: MOBILIZATION | 332,210 | | 332,210 |
| | | BUDGET ACTIVITY 03: TRAINING AND RECRUITING | | | |
| | | ACCESSION TRAINING | | | |
| 2020 | 210 | OFFICER ACQUISITION | 125,615 | | 125,615 |
| 2020 | 220 | RECRUIT TRAINING | 87,488 | | 87,488 |
| 2020 | 230 | ONE STATION UNIT TRAINING | 59,302 | | 59,302 |
| 2020 | 240 | SENIOR RESERVE OFFICERS TRAINING CORPS | 449,397 | | 449,397 |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Account | Line | Item | FY 2010 Request | Senate Change | Senate Authorized |
|----------------|-------------|----------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| | | BASIC SKILL/ADVANCE TRAINING | | | |
| 2020 | 250 | SPECIALIZED SKILL TRAINING | 970,777 | | 970,777 |
| | | Rule of law increase | | [500] | |
| 2020 | 260 | FLIGHT TRAINING | 843,893 | | 843,893 |
| 2020 | 270 | PROFESSIONAL DEVELOPMENT EDUCATION | 166,812 | | 166,812 |
| 2020 | 280 | TRAINING SUPPORT | 702,031 | | 702,031 |
| | | RECRUITING/OTHER TRAINING | | | |
| 2020 | 290 | RECRUITING AND ADVERTISING | 541,852 | | 541,852 |
| 2020 | 300 | EXAMINING | 147,915 | | 147,915 |
| 2020 | 310 | OFF-DUTY AND VOLUNTARY EDUCATION | 238,353 | | 238,353 |
| 2020 | 320 | CIVILIAN EDUCATION AND TRAINING | 217,386 | | 217,386 |
| 2020 | 330 | JUNIOR ROTC | 156,904 | | 156,904 |
| | | TOTAL, BA 03: TRAINING AND RECRUITING | 4,707,725 | | 4,707,725 |
| | | BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | |
| | | SECURITY PROGRAMS | | | |
| 2020 | 340 | SECURITY PROGRAMS | 1,017,055 | | 1,017,055 |
| | | LOGISTICS OPERATIONS | | | |
| 2020 | 350 | SERVICEWIDE TRANSPORTATION | 540,249 | | 540,249 |
| 2020 | 360 | CENTRAL SUPPLY ACTIVITIES | 614,093 | | 614,093 |
| 2020 | 370 | LOGISTIC SUPPORT ACTIVITIES | 481,318 | | 481,318 |
| 2020 | 380 | AMMUNITION MANAGEMENT | 434,661 | | 434,661 |
| | | SERVICEWIDE SUPPORT | | | |
| 2020 | 390 | ADMINISTRATION | 776,866 | | 776,866 |
| 2020 | 400 | SERVICEWIDE COMMUNICATIONS | 1,166,491 | | 1,166,491 |
| 2020 | 410 | MANPOWER MANAGEMENT | 289,383 | | 289,383 |
| 2020 | 420 | OTHER PERSONNEL SUPPORT | 221,779 | | 221,779 |
| 2020 | 430 | OTHER SERVICE SUPPORT | 993,852 | | 993,852 |
| 2020 | 440 | ARMY CLAIMS ACTIVITIES | 215,168 | | 215,168 |
| 2020 | 450 | REAL ESTATE MANAGEMENT | 118,785 | | 118,785 |
| | | SUPPORT OF OTHER NATIONS | | | |
| 2020 | 460 | SUPPORT OF NATO OPERATIONS | 430,449 | | 430,449 |
| 2020 | 470 | MISC. SUPPORT OF OTHER NATIONS | 13,700 | | 13,700 |
| | | Unobligated balances | | [-350,000] | -350,000 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | 7,313,849 | -350,000 | 6,963,849 |
| 2020 | | Total Operation and Maintenance, Army | 31,274,882 | -342,000 | 30,932,882 |
| | | Operation and Maintenance, Navy | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | AIR OPERATIONS | | | |
| 1804 | 010 | MISSION AND OTHER FLIGHT OPERATIONS | 3,814,000 | | 3,814,000 |
| 1804 | 020 | FLEET AIR TRAINING | 120,868 | | 120,868 |
| 1804 | 030 | AVIATION TECHNICAL DATA & ENGINEERING SERVICES | 52,259 | | 52,259 |
| 1804 | 040 | AIR OPERATIONS AND SAFETY SUPPORT | 121,649 | | 121,649 |
| 1804 | 050 | AIR SYSTEMS SUPPORT | 485,321 | | 485,321 |
| 1804 | 060 | AIRCRAFT DEPOT MAINTENANCE | 1,057,747 | 195,000 | 1,252,747 |
| | | Aviation depot maintenance increase | | [195,000] | |
| 1804 | 070 | AIRCRAFT DEPOT OPERATIONS SUPPORT | 32,083 | | 32,083 |
| | | SHIP OPERATIONS | | | |
| 1804 | 080 | MISSION AND OTHER SHIP OPERATIONS | 3,320,222 | | 3,320,222 |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Account | Line | Item | FY 2010 Request | Senate Change | Senate Authorized |
|----------------|-------------|----------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 1804 | 090 | SHIP OPERATIONS SUPPORT & TRAINING | 699,581 | | 699,581 |
| 1804 | 100 | SHIP DEPOT MAINTENANCE | 4,296,544 | 768,850 | 5,065,394 |
| | | Ship depot maintenance increase | | [200,000] | |
| | | Transfer to Base | | [568,850] | |
| 1804 | 110 | SHIP DEPOT OPERATIONS SUPPORT | 1,170,785 | | 1,170,785 |
| | | COMBAT OPERATIONS/SUPPORT | | | |
| 1804 | 120 | COMBAT COMMUNICATIONS | 601,595 | | 601,595 |
| 1804 | 130 | ELECTRONIC WARFARE | 86,019 | | 86,019 |
| 1804 | 140 | SPACE SYSTEMS AND SURVEILLANCE | 167,050 | | 167,050 |
| 1804 | 150 | WARFARE TACTICS | 407,674 | | 407,674 |
| 1804 | 160 | OPERATIONAL METEOROLOGY AND OCEANOGRAPHY ... | 315,228 | | 315,228 |
| 1804 | 170 | COMBAT SUPPORT FORCES | 758,789 | | 758,789 |
| 1804 | 180 | EQUIPMENT MAINTENANCE | 186,794 | | 186,794 |
| 1804 | 190 | DEPOT OPERATIONS SUPPORT | 3,305 | | 3,305 |
| 1804 | 200 | COMBATANT COMMANDERS CORE OPERATIONS | 167,789 | | 167,789 |
| 1804 | 210 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 259,188 | -7,000 | 252,188 |
| | | Reduction for National Program for Small Unit Excellence | | [-7,000] | |
| | | WEAPONS SUPPORT | | | |
| 1804 | 220 | CRUISE MISSILE | 131,895 | | 131,895 |
| 1804 | 230 | FLEET BALLISTIC MISSILE | 1,145,020 | | 1,145,020 |
| 1804 | 240 | IN-SERVICE WEAPONS SYSTEMS SUPPORT | 64,731 | | 64,731 |
| 1804 | 250 | WEAPONS MAINTENANCE | 448,777 | 12,000 | 460,777 |
| | | Gun depot overhauls | | [12,000] | |
| 1804 | 260 | OTHER WEAPON SYSTEMS SUPPORT | 326,535 | | 326,535 |
| | | BASE SUPPORT | | | |
| 1804 | 270 | ENTERPRISE INFORMATION | 1,095,587 | | 1,095,587 |
| 1804 | 280 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 1,746,418 | | 1,746,418 |
| 1804 | 290 | BASE OPERATING SUPPORT | 4,058,046 | | 4,058,046 |
| | | TOTAL, BA 01: OPERATING FORCES | 27,141,499 | 968,850 | 28,110,349 |
| | | BUDGET ACTIVITY 02: MOBILIZATION | | | |
| | | READY RESERVE AND PREPOSITIONING FORCES | | | |
| 1804 | 300 | SHIP PREPOSITIONING AND SURGE | 407,977 | | 407,977 |
| | | ACTIVATIONS/INACTIVATIONS | | | |
| 1804 | 310 | AIRCRAFT ACTIVATIONS/INACTIVATIONS | 7,491 | | 7,491 |
| 1804 | 320 | SHIP ACTIVATIONS/INACTIVATIONS | 192,401 | | 192,401 |
| | | MOBILIZATION PREPAREDNESS | | | |
| 1804 | 330 | FLEET HOSPITAL PROGRAM | 24,546 | | 24,546 |
| 1804 | 340 | INDUSTRIAL READINESS | 2,409 | | 2,409 |
| 1804 | 350 | COAST GUARD SUPPORT | 25,727 | | 25,727 |
| | | TOTAL, BA 02: MOBILIZATION | 660,551 | | 660,551 |
| | | BUDGET ACTIVITY 03: TRAINING AND RECRUITING | | | |
| | | ACCESSION TRAINING | | | |
| 1804 | 360 | OFFICER ACQUISITION | 145,027 | | 145,027 |
| 1804 | 370 | RECRUIT TRAINING | 11,011 | | 11,011 |
| 1804 | 380 | RESERVE OFFICERS TRAINING CORPS | 127,490 | | 127,490 |
| | | BASIC SKILLS AND ADVANCED TRAINING | | | |
| 1804 | 390 | SPECIALIZED SKILL TRAINING | 477,383 | 850 | 478,233 |
| | | Naval strike air warfare center training | | [850] | |
| 1804 | 400 | FLIGHT TRAINING | 1,268,846 | | 1,268,846 |
| 1804 | 410 | PROFESSIONAL DEVELOPMENT EDUCATION | 161,922 | | 161,922 |
| 1804 | 420 | TRAINING SUPPORT | 158,685 | | 158,685 |
| | | RECRUITING, AND OTHER TRAINING AND EDUCATION | | | |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Account | Line | Item | FY 2010 Request | Senate Change | Senate Authorized |
|----------------|-------------|----------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 1804 | 430 | RECRUITING AND ADVERTISING | 276,564 | | 276,564 |
| 1804 | 440 | OFF-DUTY AND VOLUNTARY EDUCATION | 154,979 | | 154,979 |
| 1804 | 450 | CIVILIAN EDUCATION AND TRAINING | 101,556 | | 101,556 |
| 1804 | 460 | JUNIOR ROTC | 49,161 | | 49,161 |
| | | TOTAL, BA 03: TRAINING AND RECRUITING | 2,932,624 | 850 | 2,933,474 |
| | | BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | |
| | | SERVICEWIDE SUPPORT | | | |
| 1804 | 470 | ADMINISTRATION | 768,048 | | 768,048 |
| 1804 | 480 | EXTERNAL RELATIONS | 6,171 | | 6,171 |
| 1804 | 490 | CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT | 114,675 | | 114,675 |
| 1804 | 500 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 182,115 | | 182,115 |
| 1804 | 510 | OTHER PERSONNEL SUPPORT | 298,729 | | 298,729 |
| 1804 | 520 | SERVICEWIDE COMMUNICATIONS | 408,744 | | 408,744 |
| | | LOGISTICS OPERATIONS AND TECHNICAL SUPPORT | | | |
| 1804 | 540 | SERVICEWIDE TRANSPORTATION | 246,989 | | 246,989 |
| 1804 | 560 | PLANNING, ENGINEERING AND DESIGN | 244,337 | | 244,337 |
| 1804 | 570 | ACQUISITION AND PROGRAM MANAGEMENT | 778,501 | | 778,501 |
| 1804 | 580 | HULL, MECHANICAL AND ELECTRICAL SUPPORT | 60,223 | | 60,223 |
| 1804 | 590 | COMBAT/WEAPONS SYSTEMS | 17,328 | | 17,328 |
| 1804 | 600 | SPACE AND ELECTRONIC WARFARE SYSTEMS | 79,065 | | 79,065 |
| | | INVESTIGATIONS AND SECURITY PROGRAMS | | | |
| 1804 | 610 | NAVAL INVESTIGATIVE SERVICE | 515,989 | | 515,989 |
| | | SUPPORT OF OTHER NATIONS | | | |
| 1804 | 670 | INTERNATIONAL HEADQUARTERS AND AGENCIES | 5,918 | | 5,918 |
| | | OTHER PROGRAMS | | | |
| 1804 | 999 | OTHER PROGRAMS | 608,840 | | 608,840 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | 4,335,672 | | 4,335,672 |
| | | Unobligated balances | | [-150,000] | -150,000 |
| 1804 | | Total Operation and Maintenance, Navy | 35,070,346 | 819,700 | 35,890,046 |
| 1804 | | Operation and Maintenance, Marine Corps | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | EXPEDITIONARY FORCES | | | |
| 1106 | 010 | OPERATIONAL FORCES | 730,931 | 11,000 | 741,931 |
| | | Advanced load bearing equipment | | [3,000] | |
| | | Family of shelter and tents | | [3,000] | |
| | | Cold weather layering system | | [5,000] | |
| 1106 | 020 | FIELD LOGISTICS | 591,020 | | 591,020 |
| 1106 | 030 | DEPOT MAINTENANCE | 80,971 | | 80,971 |
| | | USMC PREPOSITIONING | | | |
| 1106 | 050 | MARITIME PREPOSITIONING | 72,182 | | 72,182 |
| 1106 | 060 | NORWAY PREPOSITIONING | 5,090 | | 5,090 |
| | | BASE SUPPORT | | | |
| 1106 | 080 | SUSTAINMENT, RESTORATION, & MODERNIZATION | 666,330 | | 666,330 |
| 1106 | 090 | BASE OPERATING SUPPORT | 2,250,191 | | 2,250,191 |
| | | TOTAL, BA 01: OPERATING FORCES | 4,396,715 | 11,000 | 4,407,715 |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

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|------------------------------------------------------------------------|-------------|------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| BUDGET ACTIVITY 03: TRAINING AND RECRUITING | | | | | |
| ACCESSION TRAINING | | | | | |
| 1106 | 100 | RECRUIT TRAINING | 16,129 | | 16,129 |
| 1106 | 110 | OFFICER ACQUISITION | 418 | | 418 |
| BASIC SKILLS AND ADVANCED TRAINING | | | | | |
| 1106 | 120 | SPECIALIZED SKILL TRAINING | 67,336 | | 67,336 |
| 1106 | 130 | FLIGHT TRAINING | 369 | | 369 |
| 1106 | 140 | PROFESSIONAL DEVELOPMENT EDUCATION | 28,112 | | 28,112 |
| 1106 | 150 | TRAINING SUPPORT | 330,885 | | 330,885 |
| RECRUITING AND OTHER TRAINING EDUCATION | | | | | |
| 1106 | 160 | RECRUITING AND ADVERTISING | 240,832 | | 240,832 |
| 1106 | 170 | OFF-DUTY AND VOLUNTARY EDUCATION | 64,254 | | 64,254 |
| 1106 | 180 | JUNIOR ROTC | 19,305 | | 19,305 |
| TOTAL, BA 03: TRAINING AND RECRUITING | | | 767,640 | | 767,640 |
| BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | | | |
| SERVICEWIDE SUPPORT | | | | | |
| 1106 | 210 | SPECIAL SUPPORT | 299,065 | | 299,065 |
| 1106 | 220 | SERVICEWIDE TRANSPORTATION | 28,924 | | 28,924 |
| 1106 | 230 | ADMINISTRATION | 43,879 | | 43,879 |
| TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES. | | | 371,868 | | 371,868 |
| 1106 | | Total Operation and Maintenance, Marine Corps | 5,536,223 | 11,000 | 5,547,223 |
| 1106 | | | | | |
| 1106 | | | | | |
| Operation and Maintenance, Air Force | | | | | |
| BUDGET ACTIVITY 01: OPERATING FORCES | | | | | |
| AIR OPERATIONS | | | | | |
| 3400 | 010 | PRIMARY COMBAT FORCES | 4,017,156 | | 4,017,156 |
| 3400 | 020 | COMBAT ENHANCEMENT FORCES | 2,754,563 | | 2,754,563 |
| 3400 | 030 | AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) | 1,414,913 | | 1,414,913 |
| 3400 | 050 | DEPOT MAINTENANCE | 2,389,738 | | 2,389,738 |
| 3400 | 060 | FACILITIES SUSTAINMENT, RESTORATION & MOD-ERNIZATION. | 1,420,083 | | 1,420,083 |
| 3400 | 070 | BASE SUPPORT | 2,859,943 | 3,500 | 2,863,443 |
| | | Mission essential airfield operations equipment | | [3,500] | |
| COMBAT RELATED OPERATIONS | | | | | |
| 3400 | 080 | GLOBAL C3I AND EARLY WARNING | 1,411,813 | | 1,411,813 |
| 3400 | 090 | OTHER COMBAT OPS SPT PROGRAMS | 880,353 | 3,000 | 883,353 |
| | | National security space institute | | [3,000] | |
| 3400 | 110 | TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES | 552,148 | -13,000 | 539,148 |
| | | Program decrease for Gorgon Stare | | [-13,000] | |
| SPACE OPERATIONS | | | | | |
| 3400 | 120 | LAUNCH FACILITIES | 356,367 | | 356,367 |
| 3400 | 130 | SPACE CONTROL SYSTEMS | 725,646 | | 725,646 |
| COCOM | | | | | |
| 3400 | 140 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 608,796 | | 608,796 |
| 3400 | 150 | COMBATANT COMMANDERS CORE OPERATIONS | 216,073 | | 216,073 |
| TOTAL, BA 01: OPERATING FORCES | | | 19,607,592 | -6,500 | 19,601,092 |

OPERATION AND MAINTENANCE
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| BUDGET ACTIVITY 02: MOBILIZATION | | | | | |
| MOBILITY OPERATIONS | | | | | |
| 3400 | 160 | AIRLIFT OPERATIONS | 2,932,080 | | 2,932,080 |
| 3400 | 170 | MOBILIZATION PREPAREDNESS | 211,858 | | 211,858 |
| 3400 | 180 | DEPOT MAINTENANCE | 332,226 | | 332,226 |
| 3400 | 190 | FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION. | 362,954 | | 362,954 |
| 3400 | 200 | BASE SUPPORT | 657,830 | | 657,830 |
| TOTAL, BA 02: MOBILIZATION | | | 4,496,948 | | 4,496,948 |
| BUDGET ACTIVITY 03: TRAINING AND RECRUITING | | | | | |
| ACCESSION TRAINING | | | | | |
| 3400 | 210 | OFFICER ACQUISITION | 120,870 | | 120,870 |
| 3400 | 220 | RECRUIT TRAINING | 18,135 | | 18,135 |
| 3400 | 230 | RESERVE OFFICERS TRAINING CORPS (ROTC) | 88,414 | | 88,414 |
| 3400 | 240 | FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION. | 372,788 | | 372,788 |
| 3400 | 250 | BASE SUPPORT | 685,029 | | 685,029 |
| BASIC SKILLS AND ADVANCED TRAINING | | | | | |
| 3400 | 260 | SPECIALIZED SKILL TRAINING | 514,048 | | 514,048 |
| 3400 | 270 | FLIGHT TRAINING | 833,005 | | 833,005 |
| 3400 | 280 | PROFESSIONAL DEVELOPMENT EDUCATION | 215,676 | | 215,676 |
| 3400 | 290 | TRAINING SUPPORT | 118,877 | | 118,877 |
| 3400 | 300 | DEPOT MAINTENANCE | 576 | | 576 |
| RECRUITING, AND OTHER TRAINING AND EDUCATION | | | | | |
| 3400 | 320 | RECRUITING AND ADVERTISING | 152,983 | | 152,983 |
| 3400 | 330 | EXAMINING | 5,584 | | 5,584 |
| 3400 | 340 | OFF-DUTY AND VOLUNTARY EDUCATION | 188,198 | | 188,198 |
| 3400 | 350 | CIVILIAN EDUCATION AND TRAINING | 174,151 | | 174,151 |
| 3400 | 360 | JUNIOR ROTC | 67,549 | | 67,549 |
| TOTAL, BA 03: TRAINING AND RECRUITING | | | 3,555,883 | | 3,555,883 |
| BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | | | |
| LOGISTICS OPERATIONS | | | | | |
| 3400 | 370 | LOGISTICS OPERATIONS | 1,055,672 | | 1,055,672 |
| 3400 | 380 | TECHNICAL SUPPORT ACTIVITIES | 735,036 | | 735,036 |
| 3400 | 400 | DEPOT MAINTENANCE | 15,411 | | 15,411 |
| 3400 | 410 | FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION. | 359,562 | | 359,562 |
| 3400 | 420 | BASE SUPPORT | 1,410,097 | | 1,410,097 |
| SERVICEWIDE ACTIVITIES | | | | | |
| 3400 | 430 | ADMINISTRATION | 646,080 | | 646,080 |
| 3400 | 440 | SERVICEWIDE COMMUNICATIONS | 581,951 | | 581,951 |
| 3400 | 450 | OTHER SERVICEWIDE ACTIVITIES | 1,062,803 | | 1,062,803 |
| 3400 | 460 | CIVIL AIR PATROL | 22,433 | | 22,433 |
| SECURITY PROGRAMS | | | | | |
| 3400 | 470 | SECURITY PROGRAMS | 1,148,704 | | 1,148,704 |
| SUPPORT TO OTHER NATIONS | | | | | |
| 3400 | 480 | INTERNATIONAL SUPPORT | 49,987 | | 49,987 |
| TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | | | 7,087,736 | | 7,087,736 |

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| | | Overstatement of civilian pay | | [-538,100] | -538,100 |
| | | Unobligated balances | | [-150,000] | -150,000 |
| 3400 | | Total Operation and Maintenance, Air Force | 34,748,159 | -694,600 | 34,053,559 |
| 3400 | | Operation and Maintenance, Defense-wide | | | |
| | | BUDGET ACTIVITY 1: OPERATING FORCES | | | |
| | | DEFENSEWIDE ACTIVITIES | | | |
| 0100 | 010 | JOINT CHIEFS OF STAFF | 457,169 | | 457,169 |
| 0100 | 020 | SPECIAL OPERATIONS COMMAND | 3,611,492 | | 3,611,492 |
| | | TOTAL, BUDGET ACTIVITY 1: | 4,068,661 | | 4,068,661 |
| | | BUDGET ACTIVITY 3: TRAINING AND RECRUITING | | | |
| | | DEFENSEWIDE ACTIVITIES | | | |
| 0100 | 030 | DEFENSE ACQUISITION UNIVERSITY | 115,497 | | 115,497 |
| | | RECRUITING AND OTHER TRAINING EDUCATION | | | |
| 0100 | 040 | NATIONAL DEFENSE UNIVERSITY | 103,408 | | 103,408 |
| | | TOTAL, BUDGET ACTIVITY 3: | 218,905 | | 218,905 |
| | | BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES | | | |
| | | DEFENSEWIDE ACTIVITIES | | | |
| 0100 | 060 | CIVIL MILITARY PROGRAMS | 132,231 | | 132,231 |
| 0100 | 090 | DEFENSE BUSINESS TRANSFORMATION AGENCY | 139,579 | | 139,579 |
| 0100 | 100 | DEFENSE CONTRACT AUDIT AGENCY | 458,316 | | 458,316 |
| 0100 | 120 | DEFENSE HUMAN RESOURCES ACTIVITY | 665,743 | | 665,743 |
| 0100 | 130 | DEFENSE INFORMATION SYSTEMS AGENCY | 1,322,163 | | 1,322,163 |
| 0100 | 150 | DEFENSE LEGAL SERVICES | 42,532 | | 42,532 |
| 0100 | 160 | DEFENSE LOGISTICS AGENCY | 405,873 | | 405,873 |
| 0100 | 170 | DEFENSE MEDIA ACTIVITY | 253,667 | | 253,667 |
| 0100 | 180 | DEFENSE POW/MIA OFFICE | 20,679 | | 20,679 |
| 0100 | 190 | DEFENSE TECHNOLOGY SECURITY AGENCY | 34,325 | | 34,325 |
| 0100 | 200 | DEFENSE THREAT REDUCTION AGENCY | 385,453 | | 385,453 |
| 0100 | 210 | DEPARTMENT OF DEFENSE EDUCATION AGENCY | 2,302,116 | 5,000 | 2,307,116 |
| | | Family support for military children with autism | | [5,000] | |
| 0100 | 220 | DEFENSE CONTRACT MANAGEMENT AGENCY | 1,058,721 | | 1,058,721 |
| 0100 | 230 | DEFENSE SECURITY COOPERATION AGENCY | 721,756 | | 721,756 |
| 0100 | 240 | DEFENSE SECURITY SERVICE | 497,857 | | 497,857 |
| 0100 | 260 | OFFICE OF ECONOMIC ADJUSTMENT | 37,166 | | 37,166 |
| 0100 | 270 | OFFICE OF THE SECRETARY OF DEFENSE | 1,955,985 | 35,000 | 1,990,985 |
| | | Readiness and environmental protection initiative | | [25,000] | |
| | | Director of operational energy plans and programs | | [5,000] | |
| | | Acceleration of Defense Readiness Reporting System | | [5,000] | |
| 0100 | 280 | WASHINGTON HEADQUARTERS SERVICE | 589,309 | | 589,309 |
| | | OTHER PROGRAMS | | | |
| 0100 | 999 | OTHER PROGRAMS | 13,046,209 | | 13,046,209 |
| | | TOTAL, BUDGET ACTIVITY 4: | 24,069,680 | 40,000 | 24,109,680 |
| | | Impact aid | | [30,000] | 30,000 |
| | | Impact aid for children with severe disabilities | | [5,000] | 5,000 |
| | | Special assistance to local education agencies | | [10,000] | 10,000 |
| | | Undistributed Bulk Fuel Adjustment | | [-596,249] | -596,249 |
| | | Decrease for software licenses | | [-50,000] | -50,000 |
| | | Unobligated balances | | [-150,000] | -150,000 |

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| 0100 | | Total Operation and Maintenance, Defense-Wide | 28,357,246 | -711,249 | 27,645,997 |
| 0100 | | | | | |
| 0100 | | | | | |
| 0100 | | | | | |
| | | Operation and Maintenance, Army Reserve | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | LAND FORCES | | | |
| 2080 | 010 | MANEUVER UNITS | 1,403 | | 1,403 |
| 2080 | 020 | MODULAR SUPPORT BRIGADES | 12,707 | | 12,707 |
| 2080 | 030 | ECHELONS ABOVE BRIGADE | 468,288 | | 468,288 |
| 2080 | 040 | THEATER LEVEL ASSETS | 152,439 | | 152,439 |
| 2080 | 050 | LAND FORCES OPERATIONS SUPPORT | 520,420 | | 520,420 |
| 2080 | 060 | AVIATION ASSETS | 61,063 | | 61,063 |
| | | LAND FORCES READINESS | | | |
| 2080 | 070 | FORCE READINESS OPERATIONS SUPPORT | 290,443 | | 290,443 |
| 2080 | 080 | LAND FORCES SYSTEMS READINESS | 106,569 | 3,600 | 110,169 |
| | | Mobile corrosion protection | | [3,600] | |
| 2080 | 090 | LAND FORCES DEPOT MAINTENANCE | 94,499 | | 94,499 |
| | | LAND FORCES READINESS SUPPORT | | | |
| 2080 | 100 | BASE OPERATIONS SUPPORT | 522,310 | | 522,310 |
| 2080 | 110 | FACILITIES SUSTAINMENT, RESTORATION, & MOD- ERNIZATION. | 234,748 | | 234,748 |
| | | TOTAL, BA 01: OPERATING FORCES | 2,464,889 | 3,600 | 2,468,489 |
| | | LOGISTICS OPERATIONS | | | |
| 2080 | 130 | SERVICEWIDE TRANSPORTATION | 9,291 | | 9,291 |
| | | SERVICEWIDE SUPPORT | | | |
| 2080 | 140 | ADMINISTRATION | 72,075 | | 72,075 |
| 2080 | 150 | SERVICEWIDE COMMUNICATIONS | 3,635 | | 3,635 |
| 2080 | 160 | MANPOWER MANAGEMENT | 9,104 | | 9,104 |
| 2080 | 170 | RECRUITING AND ADVERTISING | 61,202 | | 61,202 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | 155,307 | | 155,307 |
| 2080 | | Total Operation and Maintenance, Army Reserve | 2,620,196 | 3,600 | 2,623,796 |
| 2080 | | | | | |
| 2080 | | | | | |
| | | Operation and Maintenance, Navy Reserve | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | AIR OPERATIONS | | | |
| 1806 | 010 | MISSION AND OTHER FLIGHT OPERATIONS | 570,319 | | 570,319 |
| 1806 | 020 | INTERMEDIATE MAINTENANCE | 16,596 | | 16,596 |
| 1806 | 030 | AIR OPERATIONS AND SAFETY SUPPORT | 3,171 | | 3,171 |
| 1806 | 040 | AIRCRAFT DEPOT MAINTENANCE | 125,004 | | 125,004 |
| 1806 | 050 | AIRCRAFT DEPOT OPERATIONS SUPPORT | 397 | | 397 |
| | | SHIP OPERATIONS | | | |
| 1806 | 060 | MISSION AND OTHER SHIP OPERATIONS | 55,873 | | 55,873 |
| 1806 | 070 | SHIP OPERATIONS SUPPORT & TRAINING | 592 | | 592 |
| 1806 | 080 | SHIP DEPOT MAINTENANCE | 41,899 | | 41,899 |
| | | COMBAT OPERATIONS SUPPORT | | | |
| 1806 | 090 | COMBAT COMMUNICATIONS | 15,241 | | 15,241 |
| 1806 | 100 | COMBAT SUPPORT FORCES | 142,924 | | 142,924 |

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| | | WEAPONS SUPPORT | | | |
| 1806 | 110 | WEAPONS MAINTENANCE | 5,494 | | 5,494 |
| | | BASE SUPPORT | | | |
| 1806 | 120 | ENTERPRISE INFORMATION | 83,611 | | 83,611 |
| 1806 | 130 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 69,853 | | 69,853 |
| 1806 | 140 | BASE OPERATING SUPPORT | 124,757 | | 124,757 |
| | | TOTAL, BA 01: OPERATING FORCES | 1,255,731 | | 1,255,731 |
| | | BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | |
| | | SERVICEWIDE SUPPORT | | | |
| 1806 | 150 | ADMINISTRATION | 3,323 | | 3,323 |
| 1806 | 160 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 13,897 | | 13,897 |
| 1806 | 170 | SERVICEWIDE COMMUNICATIONS | 1,957 | | 1,957 |
| | | LOGISTICS OPERATIONS AND TECHNICAL SUPPORT | | | |
| 1806 | 190 | ACQUISITION AND PROGRAM MANAGEMENT | 3,593 | | 3,593 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | 22,770 | | 22,770 |
| 1806 | | Total Operation and Maintenance, Navy Reserve | 1,278,501 | | 1,278,501 |
| 1806 | | | | | |
| 1806 | | | | | |
| | | Operation and Maintenance, Marine Corps Reserve | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | EXPEDITIONARY FORCES | | | |
| 1107 | 010 | OPERATING FORCES | 61,117 | | 61,117 |
| 1107 | 020 | DEPOT MAINTENANCE | 13,217 | | 13,217 |
| 1107 | 030 | TRAINING SUPPORT | 29,373 | | 29,373 |
| | | BASE SUPPORT | | | |
| 1107 | 040 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 25,466 | | 25,466 |
| 1107 | 050 | BASE OPERATING SUPPORT | 73,899 | | 73,899 |
| | | TOTAL, BA 01: OPERATING FORCES | 203,072 | | 203,072 |
| | | BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | |
| | | SERVICEWIDE ACTIVITIES | | | |
| 1107 | 060 | SPECIAL SUPPORT | 5,639 | | 5,639 |
| 1107 | 070 | SERVICEWIDE TRANSPORTATION | 818 | | 818 |
| 1107 | 080 | ADMINISTRATION | 10,642 | | 10,642 |
| 1107 | 090 | RECRUITING AND ADVERTISING | 8,754 | | 8,754 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | 25,853 | | 25,853 |
| 1107 | | Total Operation and Maintenance, Marine Corps Reserve | 228,925 | | 228,925 |
| 1107 | | | | | |
| 1107 | | | | | |
| | | Operation and Maintenance, Air Force Reserve | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | AIR OPERATIONS | | | |

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| 3740 | 010 | PRIMARY COMBAT FORCES | 2,049,303 | | 2,049,303 |
| 3740 | 020 | MISSION SUPPORT OPERATIONS | 121,417 | | 121,417 |
| 3740 | 030 | DEPOT MAINTENANCE | 441,958 | | 441,958 |
| 3740 | 040 | FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION. | 78,763 | | 78,763 |
| 3740 | 050 | BASE SUPPORT | 258,091 | | 258,091 |
| | | TOTAL, BA 01: OPERATING FORCES | 2,949,532 | | 2,949,532 |
| | | BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | |
| | | SERVICEWIDE ACTIVITIES | | | |
| 3740 | 060 | ADMINISTRATION | 77,476 | | 77,476 |
| 3740 | 070 | RECRUITING AND ADVERTISING | 24,553 | | 24,553 |
| 3740 | 080 | MILITARY MANPOWER AND PERS MGMT (ARPC) | 20,838 | | 20,838 |
| 3740 | 090 | OTHER PERS SUPPORT (DISABILITY COMP) | 6,121 | | 6,121 |
| 3740 | 100 | AUDIOVISUAL | 708 | | 708 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | 129,696 | | 129,696 |
| 3740 | | Total Operation and Maintenance, Air Force Reserve | 3,079,228 | | 3,079,228 |
| 3740 | | | | | |
| 3740 | | | | | |
| | | Operation and Maintenance, Army National Guard | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | LAND FORCES | | | |
| 2065 | 010 | MANEUVER UNITS | 876,269 | | 876,269 |
| 2065 | 020 | MODULAR SUPPORT BRIGADES | 173,843 | | 173,843 |
| 2065 | 030 | ECHELONS ABOVE BRIGADE | 615,160 | | 615,160 |
| 2065 | 040 | THEATER LEVEL ASSETS | 253,997 | | 253,997 |
| 2065 | 050 | LAND FORCES OPERATIONS SUPPORT | 34,441 | | 34,441 |
| 2065 | 060 | AVIATION ASSETS | 819,031 | | 819,031 |
| | | LAND FORCES READINESS | | | |
| 2065 | 070 | FORCE READINESS OPERATIONS SUPPORT | 436,799 | | 436,799 |
| 2065 | 080 | LAND FORCES SYSTEMS READINESS | 99,757 | 3,600 | 103,357 |
| | | Mobile corrosion protection | | [3,600] | |
| 2065 | 090 | LAND FORCES DEPOT MAINTENANCE | 379,646 | | 379,646 |
| | | LAND FORCES READINESS SUPPORT | | | |
| 2065 | 100 | BASE OPERATIONS SUPPORT | 798,343 | | 798,343 |
| 2065 | 110 | FACILITIES SUSTAINMENT, RESTORATION, & MOD- ERNIZATION. | 580,171 | | 580,171 |
| 2065 | 120 | MANAGEMENT AND OPERATIONAL HQ | 573,452 | | 573,452 |
| | | TOTAL, BA 01: OPERATING FORCES | 5,640,909 | 3,600 | 5,644,509 |
| | | BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | |
| | | SERVICEWIDE SUPPORT | | | |
| 2065 | 140 | ADMINISTRATION | 119,186 | | 119,186 |
| 2065 | 150 | SERVICEWIDE COMMUNICATIONS | 48,020 | | 48,020 |
| 2065 | 160 | MANPOWER MANAGEMENT | 7,920 | | 7,920 |
| 2065 | 170 | RECRUITING AND ADVERTISING | 440,999 | | 440,999 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | 616,125 | | 616,125 |
| 2065 | | Total Operation and Maintenance, Army National Guard ... | 6,257,034 | 3,600 | 6,260,634 |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

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|----------------|-------------|----------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 2065 | | | | | |
| 2065 | | | | | |
| | | Operation and Maintenance, Air National Guard | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | AIR OPERATIONS | | | |
| 3840 | 010 | AIRCRAFT OPERATIONS | 3,347,685 | 2,700 | 3,350,385 |
| | | Controlled humidity protection | | [2,700] | |
| 3840 | 020 | MISSION SUPPORT OPERATIONS | 779,917 | | 779,917 |
| 3840 | 030 | DEPOT MAINTENANCE | 780,347 | | 780,347 |
| 3840 | 040 | FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION. | 302,949 | | 302,949 |
| 3840 | 050 | BASE SUPPORT | 606,916 | | 606,916 |
| | | TOTAL, BA 01: OPERATING FORCES | 5,817,814 | 2,700 | 5,820,514 |
| | | BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | |
| | | SERVICEWIDE ACTIVITIES | | | |
| 3840 | 060 | ADMINISTRATION | 35,174 | | 35,174 |
| 3840 | 070 | RECRUITING AND ADVERTISING | 32,773 | | 32,773 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | 67,947 | | 67,947 |
| 3840 | | Total Operation and Maintenance, Air National Guard | 5,885,761 | 2,700 | 5,888,461 |
| 3840 | | | | | |
| | | MISCELLANEOUS APPROPRIATIONS | | | |
| 0104 | 010 | US COURT OF APPEALS FOR THE ARMED FORCES, DE- FENSE. | 13,932 | | 13,932 |
| 0111 | 010 | ACQUISITION WORKFORCE DEVELOPMENT FUND | 100,000 | | 100,000 |
| 0819 | 010 | OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID ... | 109,869 | | 109,869 |
| 0134 | 010 | COOPERATIVE THREAT REDUCTION | 404,093 | 20,000 | 424,093 |
| | | Program increase | | [20,000] | |
| 0810 | 020 | ENVIRONMENTAL RESTORATION, ARMY | 415,864 | | 415,864 |
| 0810 | 030 | ENVIRONMENTAL RESTORATION, NAVY | 285,869 | | 285,869 |
| 0810 | 040 | ENVIRONMENTAL RESTORATION, AIR FORCE | 494,276 | | 494,276 |
| 0810 | 050 | ENVIRONMENTAL RESTORATION, DEFENSE | 11,100 | | 11,100 |
| 0811 | 060 | ENVIRONMENTAL RESTORATION FORMERLY USED SITES. | 267,700 | | 267,700 |
| 0118 | 070 | OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND. | 5,000 | | 5,000 |
| | | TOTAL, MISCELLANEOUS APPROPRIATIONS | 2,107,703 | 20,000 | 2,127,703 |
| | | TOTAL TITLE III—OPERATION AND MAINTENANCE | 156,444,204 | -887,249 | 155,556,955 |

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Account</i> | <i>Line</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|----------------|-------------|---------------------------------------------|----------------------------|--------------------------|------------------------------|
| | | Operation and Maintenance, Army | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| 2020 | 140 | ADDITIONAL ACTIVITIES | 36,330,899 | | 36,330,899 |

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

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|----------------|-------------|----------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 2020 | 150 | COMMANDERS EMERGENCY RESPONSE PROGRAM | 1,500,000 | -100,000 | 1,400,000 |
| | | Program decrease | | [-100,000] | |
| 2020 | 160 | RESET | 7,867,551 | | 7,867,551 |
| | | TOTAL, BA 01: OPERATING FORCES | 45,698,450 | -100,000 | 45,598,450 |
| | | BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | |
| | | SECURITY PROGRAMS | | | |
| 2020 | 340 | SECURITY PROGRAMS | 1,426,309 | | 1,426,309 |
| | | LOGISTICS OPERATIONS | | | |
| 2020 | 350 | SERVICEWIDE TRANSPORTATION | 5,045,902 | | 5,045,902 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | 6,472,211 | | 6,472,211 |
| 2020 | | Total Operation and Maintenance, Army | 52,170,661 | -100,000 | 52,070,661 |
| | | Operation and Maintenance, Navy | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | AIR OPERATIONS | | | |
| 1804 | 010 | MISSION AND OTHER FLIGHT OPERATIONS | 1,138,398 | | 1,138,398 |
| 1804 | 020 | FLEET AIR TRAINING | 2,640 | | 2,640 |
| 1804 | 030 | AVIATION TECHNICAL DATA & ENGINEERING SERVICES | 1,212 | | 1,212 |
| 1804 | 040 | AIR OPERATIONS AND SAFETY SUPPORT | 26,815 | | 26,815 |
| 1804 | 050 | AIR SYSTEMS SUPPORT | 44,532 | | 44,532 |
| 1804 | 060 | AIRCRAFT DEPOT MAINTENANCE | 158,559 | | 158,559 |
| | | SHIP OPERATIONS | | | |
| 1804 | 080 | MISSION AND OTHER SHIP OPERATIONS | 651,209 | | 651,209 |
| 1804 | 090 | SHIP OPERATIONS SUPPORT & TRAINING | 22,489 | | 22,489 |
| 1804 | 100 | SHIP DEPOT MAINTENANCE | 1,001,037 | -568,850 | 432,187 |
| | | Transfer from OCO | | [-568,850] | |
| | | COMBAT OPERATIONS/SUPPORT | | | |
| 1804 | 120 | COMBAT COMMUNICATIONS | 20,704 | | 20,704 |
| 1804 | 150 | WARFARE TACTICS | 15,918 | | 15,918 |
| 1804 | 160 | OPERATIONAL METEOROLOGY AND OCEANOGRAPHY ... | 16,889 | | 16,889 |
| 1804 | 170 | COMBAT SUPPORT FORCES | 1,891,799 | | 1,891,799 |
| 1804 | 180 | EQUIPMENT MAINTENANCE | 306 | | 306 |
| 1804 | 200 | COMBATANT COMMANDERS CORE OPERATIONS | 6,929 | | 6,929 |
| 1804 | 210 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 7,344 | | 7,344 |
| | | WEAPONS SUPPORT | | | |
| 1804 | 240 | IN-SERVICE WEAPONS SYSTEMS SUPPORT | 68,759 | | 68,759 |
| 1804 | 250 | WEAPONS MAINTENANCE | 82,496 | | 82,496 |
| 1804 | 260 | OTHER WEAPON SYSTEMS SUPPORT | 16,902 | | 16,902 |
| | | BASE SUPPORT | | | |
| 1804 | 280 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 7,629 | | 7,629 |
| 1804 | 290 | BASE OPERATING SUPPORT | 338,604 | | 338,604 |
| | | TOTAL, BA 01: OPERATING FORCES | 5,521,170 | -568,850 | 4,952,320 |
| | | BUDGET ACTIVITY 02: MOBILIZATION | | | |
| | | READY RESERVE AND PREPOSITIONING FORCES | | | |
| 1804 | 300 | SHIP PREPOSITIONING AND SURGE | 27,290 | | 27,290 |
| | | MOBILIZATION PREPAREDNESS | | | |

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Account | Line | Item | FY 2010 Request | Senate Change | Senate Authorized |
|----------------|-------------|----------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 1804 | 330 | FLEET HOSPITAL PROGRAM | 4,336 | | 4,336 |
| 1804 | 350 | COAST GUARD SUPPORT | 245,039 | | 245,039 |
| | | TOTAL, BA 02: MOBILIZATION | 276,665 | | 276,665 |
| | | BUDGET ACTIVITY 03: TRAINING AND RECRUITING | | | |
| | | BASIC SKILLS AND ADVANCED TRAINING | | | |
| 1804 | 390 | SPECIALIZED SKILL TRAINING | 97,995 | | 97,995 |
| 1804 | 420 | TRAINING SUPPORT | 5,463 | | 5,463 |
| | | TOTAL, BA 03: TRAINING AND RECRUITING | 103,458 | | 103,458 |
| | | BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | |
| | | SERVICEWIDE SUPPORT | | | |
| 1804 | 470 | ADMINISTRATION | 3,899 | | 3,899 |
| 1804 | 480 | EXTERNAL RELATIONS | 463 | | 463 |
| 1804 | 500 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 563 | | 563 |
| 1804 | 510 | OTHER PERSONNEL SUPPORT | 2,525 | | 2,525 |
| 1804 | 520 | SERVICEWIDE COMMUNICATIONS | 23,557 | | 23,557 |
| | | LOGISTICS OPERATIONS AND TECHNICAL SUPPORT | | | |
| 1804 | 540 | SERVICEWIDE TRANSPORTATION | 223,890 | | 223,890 |
| 1804 | 570 | ACQUISITION AND PROGRAM MANAGEMENT | 642 | | 642 |
| | | INVESTIGATIONS AND SECURITY PROGRAMS | | | |
| 1804 | 610 | NAVAL INVESTIGATIVE SERVICE | 37,452 | | 37,452 |
| | | OTHER PROGRAMS | | | |
| 1804 | 999 | OTHER PROGRAMS | 25,299 | | 25,299 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | 318,290 | | 318,290 |
| 1804 | | Total Operation and Maintenance, Navy | 6,219,583 | -568,850 | 5,650,733 |
| 1804 | | Operation and Maintenance, Marine Corps | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | EXPEDITIONARY FORCES | | | |
| 1106 | 010 | OPERATIONAL FORCES | 2,048,844 | | 2,048,844 |
| 1106 | 020 | FIELD LOGISTICS | 486,014 | | 486,014 |
| 1106 | 030 | DEPOT MAINTENANCE | 554,000 | | 554,000 |
| | | USMC PREPOSITIONING | | | |
| 1106 | 060 | NORWAY PREPOSITIONING | 950 | | 950 |
| | | BASE SUPPORT | | | |
| 1106 | 090 | BASE OPERATING SUPPORT | 121,700 | | 121,700 |
| | | TOTAL, BA 01: OPERATING FORCES | 3,211,508 | | 3,211,508 |
| | | BUDGET ACTIVITY 03: TRAINING AND RECRUITING | | | |
| | | BASIC SKILLS AND ADVANCED TRAINING | | | |
| 1106 | 120 | SPECIALIZED SKILL TRAINING | 6,303 | | 6,303 |
| 1106 | 140 | PROFESSIONAL DEVELOPMENT EDUCATION | 923 | | 923 |
| 1106 | 150 | TRAINING SUPPORT | 205,625 | | 205,625 |
| | | TOTAL, BA 03: TRAINING AND RECRUITING | 212,851 | | 212,851 |

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

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| | | BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | |
| | | SERVICEWIDE SUPPORT | | | |
| 1106 | 210 | SPECIAL SUPPORT | 2,576 | | 2,576 |
| 1106 | 220 | SERVICEWIDE TRANSPORTATION | 269,415 | | 269,415 |
| 1106 | 230 | ADMINISTRATION | 5,250 | | 5,250 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES. | 277,241 | | 277,241 |
| 1106 | | Total Operation and Maintenance, Marine Corps | 3,701,600 | | 3,701,600 |
| 1106 | | | | | |
| 1106 | | Operation and Maintenance, Air Force | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | AIR OPERATIONS | | | |
| 3400 | 010 | PRIMARY COMBAT FORCES | 1,582,431 | | 1,582,431 |
| 3400 | 020 | COMBAT ENHANCEMENT FORCES | 1,460,018 | | 1,460,018 |
| 3400 | 030 | AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) | 109,255 | | 109,255 |
| 3400 | 050 | DEPOT MAINTENANCE | 304,540 | | 304,540 |
| 3400 | 060 | FACILITIES SUSTAINMENT, RESTORATION & MOD-ERNIZATION. | 121,881 | | 121,881 |
| 3400 | 070 | BASE SUPPORT | 1,394,809 | | 1,394,809 |
| | | COMBAT RELATED OPERATIONS | | | |
| 3400 | 080 | GLOBAL C3I AND EARLY WARNING | 130,885 | | 130,885 |
| 3400 | 090 | OTHER COMBAT OPS SPT PROGRAMS | 407,554 | | 407,554 |
| | | SPACE OPERATIONS | | | |
| 3400 | 130 | SPACE CONTROL SYSTEMS | 38,677 | | 38,677 |
| | | COCOM | | | |
| 3400 | 140 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 157,000 | | 157,000 |
| | | TOTAL, BA 01: OPERATING FORCES | 5,707,050 | | 5,707,050 |
| | | BUDGET ACTIVITY 02: MOBILIZATION | | | |
| | | MOBILITY OPERATIONS | | | |
| 3400 | 160 | AIRLIFT OPERATIONS | 3,171,148 | | 3,171,148 |
| 3400 | 170 | MOBILIZATION PREPAREDNESS | 169,659 | | 169,659 |
| 3400 | 180 | DEPOT MAINTENANCE | 167,070 | | 167,070 |
| 3400 | 190 | FACILITIES SUSTAINMENT, RESTORATION & MOD-ERNIZATION. | 942 | | 942 |
| 3400 | 200 | BASE SUPPORT | 45,998 | | 45,998 |
| | | TOTAL, BA 02: MOBILIZATION | 3,554,817 | | 3,554,817 |
| | | BUDGET ACTIVITY 03: TRAINING AND RECRUITING | | | |
| | | ACCESSION TRAINING | | | |
| 3400 | 240 | FACILITIES SUSTAINMENT, RESTORATION & MOD-ERNIZATION. | 1,019 | | 1,019 |
| 3400 | 250 | BASE SUPPORT | 19,361 | | 19,361 |
| | | BASIC SKILLS AND ADVANCED TRAINING | | | |
| 3400 | 260 | SPECIALIZED SKILL TRAINING | 48,442 | | 48,442 |
| 3400 | 270 | FLIGHT TRAINING | 291 | | 291 |
| 3400 | 280 | PROFESSIONAL DEVELOPMENT EDUCATION | 1,500 | | 1,500 |
| 3400 | 290 | TRAINING SUPPORT | 1,427 | | 1,427 |

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
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| | | TOTAL, BA 03: TRAINING AND RECRUITING | 72,040 | | 72,040 |
| | | BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES | | | |
| | | LOGISTICS OPERATIONS | | | |
| 3400 | 370 | LOGISTICS OPERATIONS | 328,009 | | 328,009 |
| 3400 | 420 | BASE SUPPORT | 35,322 | | 35,322 |
| | | SERVICEWIDE ACTIVITIES | | | |
| 3400 | 430 | ADMINISTRATION | 9,000 | | 9,000 |
| 3400 | 440 | SERVICEWIDE COMMUNICATIONS | 178,470 | | 178,470 |
| | | SECURITY PROGRAMS | | | |
| 3400 | 470 | SECURITY PROGRAMS | 142,160 | | 142,160 |
| | | TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE AC- TIVITIES. | 692,961 | | 692,961 |
| 3400 | | Total Operation and Maintenance, Air Force | 10,026,868 | | 10,026,868 |
| 3400 | | Operation and Maintenance, Defense-wide | | | |
| | | BUDGET ACTIVITY 1: OPERATING FORCES | | | |
| | | DEFENSEWIDE ACTIVITIES | | | |
| 0100 | 010 | JOINT CHIEFS OF STAFF | 25,000 | | 25,000 |
| 0100 | 020 | SPECIAL OPERATIONS COMMAND | 2,519,935 | | 2,519,935 |
| | | TOTAL, BUDGET ACTIVITY 1: | 2,544,935 | | 2,544,935 |
| | | BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVI- TIES | | | |
| | | DEFENSEWIDE ACTIVITIES | | | |
| 0100 | 100 | DEFENSE CONTRACT AUDIT AGENCY | 13,908 | | 13,908 |
| 0100 | 130 | DEFENSE INFORMATION SYSTEMS AGENCY | 245,117 | | 245,117 |
| 0100 | 150 | DEFENSE LEGAL SERVICES | 115,000 | | 115,000 |
| 0100 | 170 | DEFENSE MEDIA ACTIVITY | 13,364 | | 13,364 |
| 0100 | 200 | DEFENSE THREAT REDUCTION AGENCY | 2,018 | | 2,018 |
| 0100 | 210 | DEPARTMENT OF DEFENSE EDUCATION AGENCY | 553,600 | | 553,600 |
| 0100 | 220 | DEFENSE CONTRACT MANAGEMENT AGENCY | 63,130 | | 63,130 |
| 0100 | 230 | DEFENSE SECURITY COOPERATION AGENCY | 1,950,000 | | 1,950,000 |
| 0100 | 270 | OFFICE OF THE SECRETARY OF DEFENSE | 79,047 | | 79,047 |
| | | OTHER PROGRAMS | | | |
| 0100 | 999 | OTHER PROGRAMS | 1,998,181 | | 1,998,181 |
| | | TOTAL, BUDGET ACTIVITY 4: | 5,033,365 | | 5,033,365 |
| 0100 | | Total Operation and Maintenance, Defense-Wide | 7,578,300 | | 7,578,300 |
| 0100 | | | | | |
| 0100 | | | | | |
| 0100 | | | | | |
| | | Operation and Maintenance, Army Reserve | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | LAND FORCES | | | |
| 2080 | 030 | ECHELONS ABOVE BRIGADE | 86,881 | | 86,881 |
| 2080 | 050 | LAND FORCES OPERATIONS SUPPORT | 40,675 | | 40,675 |
| | | LAND FORCES READINESS | | | |

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
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|----------------|-------------|-------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 2080 | 070 | FORCE READINESS OPERATIONS SUPPORT | 21,270 | | 21,270 |
| 2080 | 080 | LAND FORCES SYSTEMS READINESS | 17,500 | | 17,500 |
| | | LAND FORCES READINESS SUPPORT | | | |
| 2080 | 100 | BASE OPERATIONS SUPPORT | 38,000 | | 38,000 |
| | | TOTAL, BA 01: OPERATING FORCES | 204,326 | | 204,326 |
| 2080 | | Total Operation and Maintenance, Army Reserve | 204,326 | | 204,326 |
| 2080 | | | | | |
| 2080 | | Operation and Maintenance, Navy Reserve | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | AIR OPERATIONS | | | |
| 1806 | 010 | MISSION AND OTHER FLIGHT OPERATIONS | 26,673 | | 26,673 |
| 1806 | 020 | INTERMEDIATE MAINTENANCE | 400 | | 400 |
| 1806 | 040 | AIRCRAFT DEPOT MAINTENANCE | 3,600 | | 3,600 |
| | | SHIP OPERATIONS | | | |
| 1806 | 060 | MISSION AND OTHER SHIP OPERATIONS | 7,416 | | 7,416 |
| 1806 | 080 | SHIP DEPOT MAINTENANCE | 8,917 | | 8,917 |
| | | COMBAT OPERATIONS SUPPORT | | | |
| 1806 | 090 | COMBAT COMMUNICATIONS | 3,147 | | 3,147 |
| 1806 | 100 | COMBAT SUPPORT FORCES | 13,428 | | 13,428 |
| | | BASE SUPPORT | | | |
| 1806 | 140 | BASE OPERATING SUPPORT | 4,478 | | 4,478 |
| | | TOTAL, BA 01: OPERATING FORCES | 68,059 | | 68,059 |
| 1806 | | Total Operation and Maintenance, Navy Reserve | 68,059 | | 68,059 |
| 1806 | | | | | |
| 1806 | | Operation and Maintenance, Marine Corps Reserve | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | EXPEDITIONARY FORCES | | | |
| 1107 | 010 | OPERATING FORCES | 77,849 | | 77,849 |
| | | BASE SUPPORT | | | |
| 1107 | 050 | BASE OPERATING SUPPORT | 8,818 | | 8,818 |
| | | TOTAL, BA 01: OPERATING FORCES | 86,667 | | 86,667 |
| 1107 | | Total Operation and Maintenance, Marine Corps Reserve | 86,667 | | 86,667 |
| 1107 | | | | | |
| 1107 | | Operation and Maintenance, Air Force Reserve | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | AIR OPERATIONS | | | |
| 3740 | 010 | PRIMARY COMBAT FORCES | 3,618 | | 3,618 |
| 3740 | 020 | MISSION SUPPORT OPERATIONS | 7,276 | | 7,276 |
| 3740 | 030 | DEPOT MAINTENANCE | 114,531 | | 114,531 |
| 3740 | 050 | BASE SUPPORT | 500 | | 500 |
| | | TOTAL, BA 01: OPERATING FORCES | 125,925 | | 125,925 |

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
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|----------------|-------------|------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 3740 | | Total Operation and Maintenance, Air Force Reserve | 125,925 | | 125,925 |
| 3740 | | | | | |
| 3740 | | Operation and Maintenance, Army National Guard | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | LAND FORCES | | | |
| 2065 | 010 | MANEUVER UNITS | 89,666 | | 89,666 |
| 2065 | 020 | MODULAR SUPPORT BRIGADES | 1,196 | | 1,196 |
| 2065 | 030 | ECHELONS ABOVE BRIGADE | 18,360 | | 18,360 |
| 2065 | 040 | THEATER LEVEL ASSETS | 380 | | 380 |
| 2065 | 060 | AVIATION ASSETS | 59,357 | | 59,357 |
| | | LAND FORCES READINESS | | | |
| 2065 | 070 | FORCE READINESS OPERATIONS SUPPORT | 94,458 | | 94,458 |
| | | LAND FORCES READINESS SUPPORT | | | |
| 2065 | 100 | BASE OPERATIONS SUPPORT | 22,536 | | 22,536 |
| 2065 | 120 | MANAGEMENT AND OPERATIONAL HQ | 35,693 | | 35,693 |
| 2065 | 130 | ADDITIONAL ACTIVITIES | | | |
| | | TOTAL, BA 01: OPERATING FORCES | 321,646 | | 321,646 |
| 2065 | | Total Operation and Maintenance, Army National Guard ... | 321,646 | | 321,646 |
| 2065 | | | | | |
| 2065 | | Operation and Maintenance, Air National Guard | | | |
| | | BUDGET ACTIVITY 01: OPERATING FORCES | | | |
| | | AIR OPERATIONS | | | |
| 3840 | 010 | AIRCRAFT OPERATIONS | 103,259 | | 103,259 |
| 3840 | 020 | MISSION SUPPORT OPERATIONS | 51,300 | | 51,300 |
| 3840 | 030 | DEPOT MAINTENANCE | 135,303 | | 135,303 |
| | | TOTAL, BA 01: OPERATING FORCES | 289,862 | | 289,862 |
| 3840 | | Total Operation and Maintenance, Air National Guard | 289,862 | | 289,862 |
| 3840 | | | | | |
| 3840 | | | | | |
| | | Afghanistan Security Forces Fund | | | |
| 2091 | 010 | INFRASTRUCTURE | 868,320 | | 868,320 |
| 2091 | 020 | EQUIPMENT AND TRANSPORTATION | 1,615,192 | | 1,615,192 |
| 2091 | 030 | TRAINING AND OPERATIONS | 272,998 | | 272,998 |
| 2091 | 040 | SUSTAINMENT | 1,945,887 | | 1,945,887 |
| 2091 | 060 | INFRASTRUCTURE | 605,584 | | 605,584 |
| 2091 | 070 | EQUIPMENT AND TRANSPORTATION | 279,186 | | 279,186 |
| 2091 | 080 | TRAINING AND OPERATIONS | 648,217 | | 648,217 |
| 2091 | 090 | SUSTAINMENT | 1,219,966 | | 1,219,966 |
| 2091 | 120 | SUSTAINMENT | 5,919 | | 5,919 |
| 2091 | 130 | TRAINING AND OPERATIONS | 1,500 | | 1,500 |
| 2091 | | TOTAL, Afghanistan Security Forces Fund | 7,462,769 | | 7,462,769 |
| | | Pakistan Counterinsurgency Capability Fund | | | |
| 2095 | | INFRASTRUCTURE | 41,970 | [-41,970] | |

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Account</i> | <i>Line</i> | <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------------------------------|-------------|----------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 2095 | | EQUIPMENT/TRANSPORTATION | 397,907 | [-397,907] | |
| 2095 | | TRAINING AND OPERATIONS | 67,953 | [-67,953] | |
| 2095 | | INFRASTRUCTURE | 73,000 | [-73,000] | |
| 2095 | | EQUIPMENT/TRANSPORTATION | 107,000 | [-107,000] | |
| 2095 | | TRAINING AND OPERATIONS | 8,170 | [-8,170] | |
| 2095 | | HUMANITARIAN ASSISTANCE | 4,000 | [-4,000] | |
| 2095 | | TOTAL, Pakistan Counterinsurgency Capability Fund | 700,000 | -700,000 | |
| MISCELLANEOUS APPROPRIATIONS | | | | | |
| 0141 | 080 | IRAQ FREEDOM FUND | 115,300 | | 115,300 |
| | | TOTAL, MISCELLANEOUS APPROPRIATIONS | 115,300 | | 115,300 |
| | | TOTAL TITLE III—OPERATION AND MAINTENANCE | 89,071,566 | -1,368,850 | 87,702,716 |

TITLE XLIV—OTHER AUTHORIZATIONS

SEC. 4401. OTHER AUTHORIZATIONS.

OTHER AUTHORIZATIONS
(In Thousands of Dollars)

| <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| REVOLVING AND MANAGEMENT FUNDS | | | |
| DEFENSE WORKING CAPITAL FUNDS | | | |
| Defense Working Capital Funds | 141,388 | | 141,388 |
| Defense Commissary Agency | 1,313,616 | | 1,313,616 |
| NATIONAL DEFENSE SEALIFT FUND | | | |
| National Defense Sealift Fund | 1,642,758 | -400,000 | 1,242,758 |
| T-AKE Program Reduction | | [-400,000] | |
| DEFENSE COALITION SUPPORT FUND | | | |
| Defense Coalition Support Fund | 22,000 | -22,000 | |
| Total Revolving and Management Funds | 3,119,762 | -422,000 | 2,697,762 |
| MILITARY PROGRAMS | | | |
| DEFENSE HEALTH PROGRAM | | | |
| DEFENSE HEALTH PROGRAM—O&M | 26,967,919 | 26,000 | 26,993,919 |
| TRICARE Continuation Pending MEDICARE Eligibility | | [4,000] | |
| Reimbursement for exceptional travel under TRICARE | | [10,000] | |
| TRICARE eligibility for Retired Reservists under the age of 60 | | [10,000] | |
| Expansion of survivor eligibility for the TRICARE dental program | | [2,000] | |
| DEFENSE HEALTH PROGRAM—R&D | 613,102 | -15,300 | 597,802 |
| Program Reduction (PE 67100HP) | | [-10,000] | |
| Cancer Center of Excellence (PE 63115HP) | | [-5,300] | |
| DEFENSE HEALTH PROGRAM—PROCUREMENT | 322,142 | | 322,142 |
| Total Defense Health Program | 27,903,163 | 10,700 | 27,913,863 |
| CHEMICAL AGENTS AND MUNITIONS DESTRUCTION | | | |
| CHEM DEMILITARIZATION—O&M | 1,146,802 | | 1,146,802 |
| CHEM DEMILITARIZATION—RDT&E | 401,269 | | 401,269 |
| CHEM DEMILITARIZATION—PROC | 12,689 | | 12,689 |
| Total Chemical Agents and Munitions Destruction | 1,560,760 | | 1,560,760 |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES | | | |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE ... | 1,058,984 | 18,800 | 1,077,784 |

OTHER AUTHORIZATIONS
(In Thousands of Dollars)

| <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|---------------------------------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| High Priority National Guard Counterdrug Programs | | [30,000] | |
| Mobile Sensor Barrier | | [5,000] | |
| United States European Command (EUCOM) Counternarcotics Support (Project Code (PC) 9205) | | [-8,000] | |
| EUCOM Headquarters Support (PC2346) | | [-800] | |
| EUCOM Interagency Fusion Centers (PC2365) | | [-1,000] | |
| Relocatable Over-the Horizon-Radar (PC3217) | | [-5,000] | |
| U.S. Special Operations Command Support to Combatant Commanders (PC6505) | | [-200] | |
| EUCOM Counternarcotics Reserve Support (PC9215) | | [-1,200] | |
| Total Drug Interdiction and Counter-Drug Activities | 1,058,984 | 18,800 | 1,077,784 |
| OFFICE OF THE INSPECTOR GENERAL | | | |
| OFFICE OF THE INSPECTOR GENERAL—O&M | 271,444 | 15,000 | 286,444 |
| Second year growth plan | | [15,000] | |
| OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT | 1,000 | 1,000 | 2,000 |
| Second year growth plan | | [1,000] | |
| Total Office of the Inspector General | 272,444 | 16,000 | 288,444 |
| TOTAL OTHER AUTHORIZATIONS | 33,915,113 | -376,500 | 33,538,613 |
| Memorandum: Civil Program (non-defense) | | | |
| Armed Forces Retirement Home (Budget Function 600) | 134,000 | | 134,000 |

SEC. 4402. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Item</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| REVOLVING AND MANAGEMENT FUNDS | | | |
| DEFENSE WORKING CAPITAL FUNDS | | | |
| Defense Working Capital Funds | 396,915 | | 396,915 |
| Total Revolving and Management Funds | 396,915 | | 396,915 |
| MILITARY PROGRAMS | | | |
| DEFENSE HEALTH PROGRAM | | | |
| DEFENSE HEALTH PROGRAM—O&M | 1,155,235 | | 1,155,235 |
| Total Defense Health Program | 1,155,235 | | 1,155,235 |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES | | | |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE ... | 324,603 | | 324,603 |
| Total Drug Interdiction and Counter-Drug Activities | 324,603 | | 324,603 |
| OFFICE OF THE INSPECTOR GENERAL | | | |
| OFFICE OF THE INSPECTOR GENERAL—O&M | 8,876 | | 8,876 |
| Total Office of the Inspector General | 8,876 | | 8,876 |
| TOTAL OTHER AUTHORIZATIONS | 1,885,629 | | 1,885,629 |

TITLE XLV—MILITARY CONSTRUCTION

SEC. 4501. MILITARY CONSTRUCTION.

| MILITARY CONSTRUCTION (In Thousands of Dollars) | | | | | | |
|-----------------------------------------------------------|---------------------------|-------------------------|---------------------------------------------------|---------------------------|--------------------------|------------------------------|
| Account | State/ Country | Installation | Project Title | Budget Request | Senate Change | Senate Authorized |
| Air Force | AK | CLEAR AFS | POWER PLANT FACILITY | 24,300 | | 24,300 |
| Air Force | AK | EIELSON AFB | ARCTIC UTILIDORS—PHASE 11 | | 9,900 | 9,900 |
| Air Force | AK | EIELSON AFB | TAXIWAY LIGHTING | | 3,450 | 3,450 |
| Air Force | AK | ELMENDORF AFB | RED FLAG ALASKA ADD/ALTER OPERATIONS CENTER. | 3,100 | | 3,100 |
| Air Force | AK | ELMENDORF AFB | F-22 WEAPONS LOAD TRAINING FACILITY. | 12,600 | | 12,600 |
| Def-Wide | AK | ELMENDORF AFB | AEROMEDICAL SERVICES/MEN- TAL HEALTH CLINIC. | 25,017 | | 25,017 |
| Army | AK | FORT RICHARD- SON | AIRBORNE SUSTAINMENT TRAIN- ING COMPLEX. | 6,100 | | 6,100 |
| Army | AK | FORT RICHARD- SON | TRAINING AIDS CENTER | 2,050 | | 2,050 |
| Army | AK | FORT RICHARD- SON | WARRIOR IN TRANSITION COM- PLEX. | 43,000 | | 43,000 |
| Army | AK | FORT RICHARD- SON | COMBAT PISTOL RANGE | | 4,900 | 4,900 |
| Def-Wide | AK | FORT RICHARD- SON | HEALTH CLINIC | 3,518 | | 3,518 |
| Army | AK | FORT WAIN- WRIGHT | RAILHEAD COMPLEX | 26,000 | | 26,000 |
| Army | AK | FORT WAIN- WRIGHT | AVIATION UNIT OPERATIONS COMPLEX. | 19,000 | | 19,000 |
| Army | AK | FORT WAIN- WRIGHT | AVIATION TASK FORCE COM- PLEX, PH 1. | 125,000 | | 125,000 |
| Army | AK | FORT WAIN- WRIGHT | WARRIOR IN TRANSITION COM- PLEX. | 28,000 | | 28,000 |
| ARNG | AL | FORT MC CLELLAN | URBAN ASSAULT COURSE | 3,000 | | 3,000 |
| Army | AL | REDSTONE AR- SENAL | GATE 7 ACCESS CONTROL POINT .. | | 3,550 | 3,550 |
| Def-Wide | AL | REDSTONE AR- SENAL | MISSILE AND SPACE INTEL CEN- TER EOE COMPLEX. | | 12,000 | 12,000 |
| Air Force | AR | LITTLE ROCK AFB | C-130 FLIGHT SIMULATOR ADDI- TION. | 5,800 | | 5,800 |
| Air Force | AR | LITTLE ROCK AFB | SECURITY FORCES OPERATIONS FACILITY. | | 10,400 | 10,400 |
| Army | AR | PINE BLUFF AR- SENAL | FUSE & DETONATOR MAGAZINE, DEPOT LEVEL. | 25,000 | | 25,000 |
| ARNG | AZ | CAMP NAVAJO | COMBAT PISTOL QUALIFICATION COURSE. | 3,000 | | 3,000 |
| Air Guard | AZ | DAVIS- MONTHAN AFB | TFI-PREDATOR BEDDOWN-FOC ... | 5,600 | | 5,600 |
| Air Force | AZ | DAVIS- MONTHAN AFB | DORMITORY (144 RM) | 20,000 | | 20,000 |
| Air Force | AZ | DAVIS- MONTHAN AFB | CSAR HC-130J SIMULATOR FACIL- ITY. | 8,400 | | 8,400 |
| Air Force | AZ | DAVIS- MONTHAN AFB | CSAR HC-130J RQS OPERATIONS FACILITY. | 8,700 | | 8,700 |
| Air Force | AZ | DAVIS- MONTHAN AFB | CSAR HC-130J INFRASTRUCTURE .. | 4,800 | | 4,800 |
| Army | AZ | FORT HUACHUCA | UAV ER/MPER/MP | 15,000 | | 15,000 |
| Army | AZ | FORT HUACHUCA | BATTALION HEADQUARTERS UAV | 6,000 | | 6,000 |
| Naval Res | AZ | PHOENIX | RESERVE CENTER MOVE TO LUKE AFB, NOSC PHOENIX. | 10,986 | | 10,986 |
| Navy | AZ | YUMA | AIRCRAFT MAINTENANCE HANG- AR (PHASE 1). | 27,050 | | 27,050 |
| Navy | AZ | YUMA | AIRFIELD ELEC. DIST. AND CONTOL. | 1,720 | | 1,720 |
| Naval Res | CA | ALAMEDA | RESERVE TRAINING CENTER—AL- AMEDA, CA. | 5,960 | | 5,960 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| <i>Account</i> | <i>State/ Country</i> | <i>Installation</i> | <i>Project Title</i> | <i>Budget Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|----------------|---------------------------|------------------------------|--------------------------------------------------|---------------------------|--------------------------|------------------------------|
| Navy | CA | BRIDGEPORT | FIRE STATION—RENOVATION— MWTC. | 4,460 | | 4,460 |
| Navy | CA | CAMP PEN- DLETON | ANGLICO OPERATIONS COMPLEX | 25,190 | | 25,190 |
| Navy | CA | CAMP PEN- DLETON | RECON BN OPERATIONS COM- PLEX. | 77,660 | | 77,660 |
| Navy | CA | CAMP PEN- DLETON | COMM/ELEC MAINTENANCE FA- CILITY. | 13,170 | | 13,170 |
| Navy | CA | CAMP PEN- DLETON | EXPANSION OF SRTTP TO 7.5 MGD | 55,180 | | 55,180 |
| Navy | CA | CAMP PEN- DLETON | NORTH REGION TERTIARY TREATMENT PLANT (PH 1). | 142,330 | | 142,330 |
| Navy | CA | CAMP PEN- DLETON | GAS/ELECTRICAL UPGRADES | 51,040 | | 51,040 |
| Navy | CA | CAMP PEN- DLETON | RECRUIT BARRACKS—SCHOOL OF INFANTRY. | 53,320 | | 53,320 |
| Navy | CA | CAMP PEN- DLETON | ENLISTED DINING FACILITY | 32,300 | | 32,300 |
| Navy | CA | CAMP PEN- DLETON | RECRUIT BARRACKS—FIELD/K- SPAN. | 23,200 | | 23,200 |
| Navy | CA | CAMP PEN- DLETON | COMMUNICATIONS UPGRADES | 79,492 | | 79,492 |
| Navy | CA | CAMP PEN- DLETON | ELECTRICAL DISTRIBUTION SYS- TEM. | 76,950 | | 76,950 |
| Navy | CA | CAMP PEN- DLETON | OPERATIONS ACCESS POINTS | 12,740 | | 12,740 |
| Navy | CA | CAMP PEN- DLETON | ENLISTED DINING FACILITY— EDSON RANGE. | 37,670 | | 37,670 |
| Navy | CA | CAMP PEN- DLETON | BEQ | 39,610 | | 39,610 |
| Navy | CA | CAMP PEN- DLETON | RECRUIT MARKSMANSHIP TRAIN- ING FACILITY. | 13,730 | | 13,730 |
| Navy | CA | CAMP PEN- DLETON | EXPAND COMBAT AIRCRAFT LOADING APRON. | 12,240 | | 12,240 |
| Navy | CA | CAMP PEN- DLETON | AVIATION TRANSMITTER/RE- CEIVER SITE. | 13,560 | | 13,560 |
| Navy | CA | CAMP PEN- DLETON | WFTBN SUPPORT FACILITIES | 15,780 | | 15,780 |
| USAR | CA | CAMP PEN- DLETON | ARMY RESERVE CENTER | 19,500 | | 19,500 |
| Def-Wide | CA | CORONADO | SOF CLOSE QUARTERS COMBAT TRAINING FACILITY. | 15,722 | | 15,722 |
| Navy | CA | EDWARDS AIR FORCE BASE | EDWARDS RAMP EXTENSION | 3,007 | | 3,007 |
| Def-Wide | CA | EL CENTRO | AIRCRAFT DIRECT FUELING STA- TION. | 11,000 | | 11,000 |
| Army | CA | FORT IRWIN | MOUT ASSAULT COURSE, PH 4 | 9,500 | | 9,500 |
| ARNG | CA | FRESNO YOSEM- ITE IAP | 144th SQUADRON OPERATIONS FA- CILITY. | | 9,900 | 9,900 |
| ARNG | CA | LOS ALAMITOS | READINESS CENTER PH1 | 31,000 | | 31,000 |
| USAR | CA | LOS ANGELES | ARMY RESERVE CENTER | 29,000 | | 29,000 |
| Navy | CA | MIRAMAR | AIRCRAFT PARKING APRON MODIFICATION. | 9,280 | | 9,280 |
| Def-Wide | CA | POINT LOMA ANNEX | REPLACE FUEL STORAGE FAC INCR 2. | 92,300 | | 92,300 |
| Navy | CA | POINT LOMA ANNEX | PUBLIC WORKS SHOPS CONSOLI- DATION. | 8,730 | | 8,730 |
| Navy | CA | SAN DIEGO | MESSHALL EXPANSION | 23,590 | | 23,590 |
| Air Guard | CA | SOCAL LOGIS- TICS AIRPORT | TFI-PREDATOR BEDDOWN—FTU/ LRE SITE. | 8,400 | | 8,400 |
| Air Force | CA | TRAVIS AFB | CONSTRUCT KC-10 CARGO LOAD TRAINING FACILITY. | 6,900 | | 6,900 |
| Def-Wide | CA | TRAVIS AFB | REPLACE FUEL DISTRIBUTION SYSTEM. | 15,357 | | 15,357 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| <i>Account</i> | <i>State/ Country</i> | <i>Installation</i> | <i>Project Title</i> | <i>Budget Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|----------------|---------------------------|---------------------|----------------------------------------------|---------------------------|--------------------------|------------------------------|
| Navy | CA | TWENTYNINE PALMS | STATION COMM FACILITY AND INFRASTRUCTURE. | 49,040 | | 49,040 |
| Navy | CA | TWENTYNINE PALMS | SUB-STATION AND ELECTRICAL UPGRADES. | 31,310 | | 31,310 |
| Navy | CA | TWENTYNINE PALMS | ELEC. INFRA. UPGRADE—34.5KV TO 115KV. | 46,220 | | 46,220 |
| Navy | CA | TWENTYNINE PALMS | ELEC. POWER PLANT/CO-GEN/GAS TURBINE—N. | 53,260 | | 53,260 |
| Navy | CA | TWENTYNINE PALMS | WATER IMPROVEMENTS AND STORAGE TANK. | 30,610 | | 30,610 |
| Navy | CA | TWENTYNINE PALMS | SEWAGE SYSTEM IMP. AND LIFT STATION. | 5,800 | | 5,800 |
| Navy | CA | TWENTYNINE PALMS | HTHW/CHILLED WATER SYSTEM .. | 25,790 | | 25,790 |
| Navy | CA | TWENTYNINE PALMS | NATURAL GAS SYSTEM EXTEN- SION. | 19,990 | | 19,990 |
| Navy | CA | TWENTYNINE PALMS | INDUSTRIAL WASTE WATER PRETREATMENT SYS.. | 3,330 | | 3,330 |
| Navy | CA | TWENTYNINE PALMS | LAYDOWN SITE WORK—NORTH MAINSIDE. | 21,740 | | 21,740 |
| Navy | CA | TWENTYNINE PALMS | SECONDARY ELEC. DIST.—NORTH MAINSIDE. | 31,720 | | 31,720 |
| Navy | CA | TWENTYNINE PALMS | CONSTRUCT ROADS—NORTH MAINSIDE. | 29,360 | | 29,360 |
| Navy | CA | TWENTYNINE PALMS | MAINT. SHOP—WHEELED | 16,040 | | 16,040 |
| Navy | CA | TWENTYNINE PALMS | MAINT. SUNSHADES—WHEELED ... | 12,580 | | 12,580 |
| Navy | CA | TWENTYNINE PALMS | COMM/ELECT MAINT/STORAGE | 12,660 | | 12,660 |
| Navy | CA | TWENTYNINE PALMS | DINING FACILITY—NORTH MAINSIDE. | 17,200 | | 17,200 |
| Navy | CA | TWENTYNINE PALMS | BEQ | 37,290 | | 37,290 |
| Navy | CA | TWENTYNINE PALMS | MAINT. SHOP—TRACKED | 19,780 | | 19,780 |
| Navy | CA | TWENTYNINE PALMS | BEQ | 37,290 | | 37,290 |
| Navy | CA | TWENTYNINE PALMS | CONSOLIDATED ARMORY—TANKS | 12,670 | | 12,670 |
| Air Force | CA | VANDENBERG AFB | CHILD DEVELOPMENT CENTER | 13,000 | | 13,000 |
| Air Guard | CO | BUCKLEY ANG BASE | ADD/ALTER WEAPONS RELEASE ... | | 4,500 | 4,500 |
| USAR | CO | COLORADO SPRINGS | ARMY RESERVE CENTER/LAND | 13,000 | | 13,000 |
| Army | CO | FORT CARSON | TRAINING AIDS CENTER | 18,500 | | 18,500 |
| Army | CO | FORT CARSON | BRIGADE COMPLEX | 69,000 | | 69,000 |
| Army | CO | FORT CARSON | BRIGADE COMPLEX, PH 1 | 102,000 | -102,000 | |
| Army | CO | FORT CARSON | RAILROAD TRACKS | 14,000 | | 14,000 |
| Army | CO | FORT CARSON | WARRIOR IN TRANSITION (WT) COMPLEX. | 56,000 | | 56,000 |
| Army | CO | FORT CARSON | AUTOMATED QUALIFICATION TRAINING RANGE. | 11,000 | | 11,000 |
| Army | CO | FORT CARSON | MODIFIED RECORD FIRE RANGE | 4,450 | -4,450 | |
| Army | CO | FORT CARSON | AUTOMATED MULTIPURPOSE MACHINE GUN RANGE. | 7,400 | | 7,400 |
| Army | CO | FORT CARSON | SCOUT/RECCE GUNNERY COM- PLEX. | 16,000 | | 16,000 |
| Army | CO | FORT CARSON | URBAN ASSAULT COURSE | 3,100 | -3,100 | |
| Army | CO | FORT CARSON | CONVOY LIVE FIRE RANGE | 6,500 | | 6,500 |
| Army | CO | FORT CARSON | COMMISSARY | 35,000 | | 35,000 |
| Army | CO | FORT CARSON | BARRACKS & DINING, INCREMENT 2. | 60,000 | | 60,000 |
| Def-Wide | CO | FORT CARSON | HEALTH AND DENTAL CLINIC | 52,773 | -20,873 | 31,900 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| <i>Account</i> | <i>State/ Country</i> | <i>Installation</i> | <i>Project Title</i> | <i>Budget Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|----------------|---------------------------|------------------------|------------------------------------------------|---------------------------|--------------------------|------------------------------|
| Def-Wide | CO | FORT CARSON | SOF BATTALION OPS COMPLEX ... | 45,200 | | 45,200 |
| Def-Wide | CO | FORT CARSON | SOF MILITARY WORKING DOG FACILITY. | 3,046 | | 3,046 |
| Air Force | CO | PETERSON AFB | C-130 SQUAD OPS/AMU (TFI) | 5,200 | | 5,200 |
| Air Force | CO | PETERSON AFB | NATIONAL SECURITY SPACE INSTITUTE. | 19,900 | | 19,900 |
| Chem Demil | CO | PUEBLO DEPOT | AMMUNITION DEMILITARIZATION FACILITY, PH XI. | 92,500 | | 92,500 |
| AF Reserve | CO | SCHRIEVER AFB | WING HEADQUARTERS | 10,200 | | 10,200 |
| Air Force | CO | U.S. AIR FORCE ACADEMY | ADD TO CADET FITNESS CENTER | 17,500 | | 17,500 |
| Air Guard | CT | BRADLEY NATL AP | CNAF BEDDOWN UPGRADE FACILITIES. | | 9,100 | 9,100 |
| USAR | CT | BRIDGEPORT | ARMY RESERVE CENTER/LAND | 18,500 | | 18,500 |
| Air Force | DE | DOVER AFB | C-5 CARGO AIRCRAFT MAINT TRAINING FACILITY P1. | 5,300 | | 5,300 |
| Air Force | DE | DOVER AFB | CONSOL COMM FAC | 12,100 | | 12,100 |
| Air Force | DE | DOVER AFB | CHAPEL CENTER | | 7,500 | 7,500 |
| Navy | FL | BLOUNT ISLAND | PORT OPERATIONS FACILITY | 3,760 | | 3,760 |
| Air Force | FL | EGLIN AFB | F-35 DUKE CONTROL TOWER | 3,420 | | 3,420 |
| Air Force | FL | EGLIN AFB | CONSTRUCT DORMITORY (96 RM) | 11,000 | | 11,000 |
| Air Force | FL | EGLIN AFB | F-35 POL OPS FACILITY | 3,180 | | 3,180 |
| Air Force | FL | EGLIN AFB | F-35 HYDRANT REFUELING SYSTEM PHASE 1. | 8,100 | | 8,100 |
| Air Force | FL | EGLIN AFB | F-35 PARALLEL TAXIWAY LADDER. | 1,440 | | 1,440 |
| Air Force | FL | EGLIN AFB | F-35 JPS FLIGHTLINE FILLSTANDS | 5,400 | | 5,400 |
| Air Force | FL | EGLIN AFB | F-35 JP-8 WEST SIDE BULK FUEL TANK UPGRADES. | 960 | | 960 |
| Air Force | FL | EGLIN AFB | F-35 LIVE ORDINANCE LOAD FACILITY. | 9,900 | | 9,900 |
| Air Force | FL | EGLIN AFB | F-35 A/C PARKING APRON | 16,400 | | 16,400 |
| Army | FL | EGLIN AFB | OPERATIONS COMPLEX, PH 3 | 80,000 | | 80,000 |
| Army | FL | EGLIN AFB | INDOOR FIRING RANGE | 8,900 | | 8,900 |
| Army | FL | EGLIN AFB | LIVE FIRE EXERCISE SHOOTHOUSE. | 8,000 | | 8,000 |
| Army | FL | EGLIN AFB | LIVE FIRE EXERCISE BREACH FACILITY. | 4,950 | | 4,950 |
| Army | FL | EGLIN AFB | NON-STANDARD SMALL ARMS RANGE. | 3,400 | | 3,400 |
| Army | FL | EGLIN AFB | GRENADE LAUNCHER RANGE | 1,600 | | 1,600 |
| Army | FL | EGLIN AFB | HAND GRENADE QUALIFICATION COURSE. | 1,400 | | 1,400 |
| Army | FL | EGLIN AFB | URBAN ASSAULT COURSE | 2,700 | | 2,700 |
| Army | FL | EGLIN AFB | ANTI-ARMOR, TRACKING & LIVE FIRE RANGE. | 3,400 | | 3,400 |
| Army | FL | EGLIN AFB | AUTOMATED QUALIFICATION/ TRAINING RANGE. | 12,000 | | 12,000 |
| Army | FL | EGLIN AFB | LIGHT DEMOLITION RANGE | 2,200 | | 2,200 |
| Army | FL | EGLIN AFB | BASIC 10M-25M FIRING RANGE (ZERO). | 3,050 | | 3,050 |
| Def-Wide | FL | EGLIN AFB | SOF MILITARY WORKING DOG FACILITY. | 3,046 | | 3,046 |
| Navy | FL | EGLIN AFB | F-35 HYDRANT REFUELING SYS, PH 1. | 6,208 | | 6,208 |
| Navy | FL | EGLIN AFB | F-35 PARALLEL TAXIWAY LADDER. | 931 | | 931 |
| Navy | FL | EGLIN AFB | F-35 A/C PARKING APRON | 11,252 | | 11,252 |
| Navy | FL | EGLIN AFB | BACHELOR ENLISTED QUARTERS, EOD SCHOOL, PHASE. | 26,287 | | 26,287 |
| Navy | FL | EGLIN AFB | F-35 JP8 WEST SIDE BULK TANK UPGRADES. | 621 | | 621 |
| Navy | FL | EGLIN AFB | F-35 POL OPERATIONS FACILITY (EGLIN). | 2,056 | | 2,056 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| <i>Account</i> | <i>State/ Country</i> | <i>Installation</i> | <i>Project Title</i> | <i>Budget Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|----------------|---------------------------|---------------------------------|------------------------------------------------|---------------------------|--------------------------|------------------------------|
| Navy | FL | EGLIN AFB | F-35 JP8 FLIGHTLINE FILLSTANDS (EGLIN). | 3,492 | | 3,492 |
| Army | FL | EGLIN AFB (CAMP RUD- DER) | ELEVATED WATER STORAGE TANK. | | 1,200 | 1,200 |
| Air Force | FL | HURLBURT FIELD | REFUELING VEHICLE MAINTENANCE FACILITY. | 2,200 | | 2,200 |
| Air Force | FL | HURLBURT FIELD | ELECTRICAL DISTRIBUTION SUBSTATION. | 8,300 | | 8,300 |
| Def-Wide | FL | HURLBURT FIELD | SOF SIMULATOR FACILITY FOR MC-130 (RECAP). | 8,156 | | 8,156 |
| Navy | FL | JACKSONVILLE | P-8/MMA FACILITIES MODIFICATION. | 5,917 | | 5,917 |
| Def-Wide | FL | JACKSONVILLE IAP | REPLACE JET FUEL STORAGE COMPLEX. | 11,500 | | 11,500 |
| Air Force | FL | MACDILL AFB | DORMITORY (120 ROOM) | 16,000 | | 16,000 |
| Air Force | FL | MACDILL AFB | CHILD DEVELOPMENT CENTER | 7,000 | | 7,000 |
| Air Force | FL | MACDILL AFB | CENTCOM COMMANDANT FACILITY. | 15,300 | | 15,300 |
| Navy | FL | MAYPORT | WHARF CHARLIE REPAIR | 29,682 | | 29,682 |
| Navy | FL | MAYPORT | CHANNEL DREDGING | 46,303 | | 46,303 |
| Army | FL | MIAMI DORAL | SOUTHCOM HEADQUARTERS, INCR 3. | 55,400 | | 55,400 |
| USAR | FL | PANAMA CITY | ARMY RESERVE CENTER/LAND | 7,300 | | 7,300 |
| Air Force | FL | PATRICK AFB | COMBAT WEAPONS TRAINING FACILITY. | | 8,400 | 8,400 |
| Navy | FL | PENSACOLA | CORRY "A" SCHOOL BACHELOR ENLISTED QUARTERS R. | 22,950 | | 22,950 |
| Navy | FL | PENSACOLA | SIMULATOR ADDITION FOR UMFO PROGRAM. | 3,211 | | 3,211 |
| USAR | FL | WEST PALM BEACH | ARMY RESERVE CENTER/LAND | 26,000 | | 26,000 |
| Navy | FL | WHITING FIELD | T-6B JPATS TRNG. OPS PARALOFT FACILITY. | 4,120 | | 4,120 |
| USAR | GA | ATLANTA | ARMY RESERVE CENTER/LAND | 14,000 | | 14,000 |
| Army | GA | FORT BENNING | COMBINED ARMS COLLECTIVE TRAINING FACILITY. | 10,800 | | 10,800 |
| Army | GA | FORT BENNING | FIRE AND MOVEMENT RANGE | 2,800 | | 2,800 |
| Army | GA | FORT BENNING | BATTLE LAB | 30,000 | | 30,000 |
| Army | GA | FORT BENNING | TRAINING AREA TANK TRAILS | 9,700 | | 9,700 |
| Army | GA | FORT BENNING | TRAINING BATTALION COMPLEX | 38,000 | | 38,000 |
| Army | GA | FORT BENNING | DINING FACILITY | 15,000 | | 15,000 |
| Army | GA | FORT BENNING | WARRIOR IN TRANSITION (WT) COMPLEX. | 53,000 | | 53,000 |
| Army | GA | FORT BENNING | TRAINING BATTALION COMPLEX, PH 1. | 31,000 | | 31,000 |
| Army | GA | FORT BENNING | TRAINING BATTALION COMPLEX, PH 1. | 31,000 | | 31,000 |
| Army | GA | FORT BENNING | TRAINEE BARRACKS COMPLEX, PH 1. | 74,000 | | 74,000 |
| ARNG | GA | FORT BENNING | READINESS CENTER | 15,500 | | 15,500 |
| Def-Wide | GA | FORT BENNING | BLOOD DONOR CENTER REPLACEMENT. | 12,313 | | 12,313 |
| Def-Wide | GA | FORT BENNING | DENTAL CLINIC | 4,887 | | 4,887 |
| Def-Wide | GA | FORT BENNING | SOF EXPAND BATTALION HEADQUARTERS. | 3,046 | | 3,046 |
| Def-Wide | GA | FORT BENNING | WILSON ES CONSTRUCT GYMNASIUM. | 2,330 | | 2,330 |
| Army | GA | FORT GILLEM | FORENSIC LAB | 10,800 | | 10,800 |
| Army | GA | FORT STEWART | BRIGADE COMPLEX | 93,000 | -45,000 | 48,000 |
| Army | GA | FORT STEWART | AUTOMATED SNIPER FIELD FIRE RANGE. | 3,400 | -3,400 | |
| Army | GA | FORT STEWART | WARRIOR IN TRANSITION (WT) COMPLEX. | 49,000 | | 49,000 |

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|----------------|---------------------------|------------------------|-------------------------------------------------|---------------------------|--------------------------|------------------------------|
| Army | GA | FORT STEWART | BARRACKS & DINING, INCREMENT 2. | 80,000 | | 80,000 |
| Def-Wide | GA | FORT STEWART | HEALTH AND DENTAL CLINIC | 26,386 | -4,186 | 22,200 |
| Def-Wide | GA | FORT STEWART | NEW ELEMENTARY SCHOOL | 22,502 | -22,502 | |
| Def-Wide | GA | FORT STEWART | NEW ELEMENTARY SCHOOL | 22,501 | | 22,501 |
| Army | GA | HUNTER ARMY AIRFIELD | AVIATION READINESS CENTER | | 8,967 | 8,967 |
| Air Force | GA | MOODY AFB | RESCUE OPNS/MAINT HQ FAC | | 8,900 | 8,900 |
| Def-Wide | HI | FORD ISLAND | PACIFIC OPERATIONS FACILITY UPGRADE. | 9,633 | | 9,633 |
| Air Guard | HI | HICKAM AFB | TFI—F-22 LO/COMPOSITE REPAIR FACILITY. | 26,000 | | 26,000 |
| Air Guard | HI | HICKAM AFB | TFI—F-22 PARKING APRON AND TAXIWAYS. | 7,000 | | 7,000 |
| Navy | HI | NAVSTA PEARL HARBOR | PRODUCTION SERVICES SUPPORT FACILITY. | | 30,360 | 30,360 |
| Navy | HI | OAHU | RANGE, 1000—PUULOLO | 5,380 | | 5,380 |
| Navy | HI | PEARL HARBOR | PACFLT SUB DRIVE-IN MAG SI-LENCING FAC (INCR3). | 8,645 | | 8,645 |
| Navy | HI | PEARL HARBOR | APCSS CONF & TECH LEARNING CENTER. | 12,775 | | 12,775 |
| Navy | HI | PEARL HARBOR | MISSILE MAGAZINES (5), WEST LOCH. | 22,407 | | 22,407 |
| Army | HI | SCHOFIELD BAR-RACKS | VEHICLE MAINTENANCE SHOP | 63,000 | | 63,000 |
| Army | HI | SCHOFIELD BAR-RACKS | VEHICLE MAINTENANCE SHOP | 36,000 | | 36,000 |
| Army | HI | SCHOFIELD BAR-RACKS | WARRIOR IN TRANSITION (WT) BARRACKS. | 55,000 | | 55,000 |
| Army | HI | SCHOFIELD BAR-RACKS | WARRIOR IN TRANSITION COM-PLEX. | 30,000 | | 30,000 |
| Air Force | HI | WHEELER AFB | CONSTRUCT ASOC COMPLEX | 15,000 | | 15,000 |
| Army | HI | WHEELER AFB | REGIONAL SATCOM INFORMA-TION CENTER. | 7,500 | | 7,500 |
| Air Guard | IA | DES MOINES | DES MOINES ALT SECURITY FORCES FAC. | | 4,600 | 4,600 |
| ARNG | IA | JOHNSTON | US PROPERTY AND FISCAL OF-FICE. | | 4,000 | 4,000 |
| ARNG | ID | GOWEN FIELD | COMBINED ARMS COLLECTIVE TRAINING FACILITY. | 16,100 | | 16,100 |
| Air Force | ID | MOUNTAIN HOME AFB | LOGISTICS READINESS CENTER | 20,000 | | 20,000 |
| USAR | IL | CHICAGO | ARMY RESERVE CENTER | 23,000 | | 23,000 |
| Naval Res | IL | JOLIET ARMY AMMO PLANT | RESERVE TRAINING CENTER—JO-LIET, IL. | 7,957 | | 7,957 |
| ARNG | IL | MILAN | READINESS CENTER | | 5,600 | 5,600 |
| Air Force | IL | SCOTT AIR FORCE BASE | AEROMEDICAL EVAC FACILITY ... | | 7,400 | 7,400 |
| ARNG | IN | MUSCATATUCK | COMBINED ARMS COLLECTIVE TRAINING FACILITY PH. | 10,100 | | 10,100 |
| Navy | IN | NAVAL SUP ACT CRANE | STRATEGIC WEAPONS SYSTEMS ENG FACILITY. | | 13,710 | 13,710 |
| Army | KS | FORT RILEY | TRAINING AIDS CENTER | 15,500 | | 15,500 |
| Army | KS | FORT RILEY | ADVANCED WASTE WATER TREATMENT PLANT. | 28,000 | | 28,000 |
| Army | KS | FORT RILEY | IGLOO STORAGE, INSTALLATION | 7,200 | | 7,200 |
| Army | KS | FORT RILEY | BRIGADE COMPLEX | 49,000 | | 49,000 |
| Army | KS | FORT RILEY | BATTALION COMPLEX | 59,000 | | 59,000 |
| Army | KS | FORT RILEY | LAND VEHICLE FUELING FACIL-ITY. | 3,700 | | 3,700 |
| Army | KS | FORT RILEY | ESTES ROAD ACCESS CONTROL POINT. | | 6,100 | 6,100 |
| ARNG | KS | SALINA ARNG AV FAC | TAXIWAY ALTERATIONS | | 2,227 | 2,227 |

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|----------------|---------------------------|---------------------|--------------------------------|---------------------------|--------------------------|------------------------------|
| Chem | KY | BLUE GRASS | AMMUNITION DEMILITARIZA- | 54,041 | 5,000 | 59,041 |
| Demil | | ARMY DEPOT | TION PH X. | | | |
| Army | KY | FORT CAMP- | INSTALLATION CHAPEL CENTER .. | | 14,400 | 14,400 |
| | | BELL | | | | |
| Army | KY | FORT CAMP- | 5TH SFG LANGUAGE | | 5,800 | 5,800 |
| | | BELL | SUSTAINMENT TRNG FAC. | | | |
| Def-Wide | KY | FORT CAMP- | HEALTH CLINIC | 8,600 | | 8,600 |
| | | BELL | | | | |
| Def-Wide | KY | FORT CAMP- | SOF BATTALION OPERATIONS | 29,289 | | 29,289 |
| | | BELL | COMPLEX. | | | |
| Def-Wide | KY | FORT CAMP- | SOF MILITARY WORKING DOG FA- | 3,046 | | 3,046 |
| | | BELL | CILITY. | | | |
| Army | KY | FORT KNOX | WARRIOR IN TRANSITION (WT) | 70,000 | | 70,000 |
| | | | COMPLEX. | | | |
| Air Force | LA | BARKSDALE AFB | PHASE FIVE RAMP REPLACE- | | 12,800 | 12,800 |
| | | | MENT—AIRCRAFT APRON. | | | |
| Army | LA | FORT POLK | WARRIOR IN TRANSITION (WT) | 32,000 | | 32,000 |
| | | | COMPLEX. | | | |
| Army | LA | FORT POLK | LAND PURCHASES AND CON- | 17,000 | | 17,000 |
| | | | DEMNATION. | | | |
| ARNG | MA | HANSCOM AFB | ARMED FORCES RESERVE CEN- | 29,000 | | 29,000 |
| | | | TER (JFHQ). | | | |
| Air Guard | MA | OTIS ANGB | COMPOSITE OPERATIONS AND | | 12,800 | 12,800 |
| | | | TRAINING FACILITY. | | | |
| Army | MD | ABERDEEN PG | ANALYTICAL CHEM WING—AD- | | 15,500 | 15,500 |
| | | | VANCED CHEM LAB. | | | |
| Def-Wide | MD | ABERDEEN PG | USAMRICD REPLACEMENT, INC II | 111,400 | | 111,400 |
| Air Force | MD | ANDREWS AFB | REPLACE MUNITIONS STORAGE | 9,300 | | 9,300 |
| | | | AREA. | | | |
| Air Guard | MD | ANDREWS AFB | RPL MUNITIONS MAINTENANCE | 14,000 | | 14,000 |
| | | | AND STORAGE COMPLEX. | | | |
| Army | MD | FORT DETRICK | SATELLITE COMMUNICATIONS | 18,000 | | 18,000 |
| | | | CENTER. | | | |
| Army | MD | FORT DETRICK | SATELLITE COMMUNICATIONS | 21,000 | | 21,000 |
| | | | FACILITY. | | | |
| Def-Wide | MD | FORT DETRICK | BOUNDARY GATE AT NALIN POND | 10,750 | | 10,750 |
| Def-Wide | MD | FORT DETRICK | EMERGENCY SERVICE CENTER | 16,125 | | 16,125 |
| Def-Wide | MD | FORT DETRICK | USAMRIID STAGE I, INC IV | 108,000 | | 108,000 |
| Def-Wide | MD | FORT DETRICK | NIBC TRUCK INSPECTION STA- | 2,932 | | 2,932 |
| | | | TION & ROAD. | | | |
| Def-Wide | MD | FORT MEADE | SOUTH CAMPUS UTILITY PLANT | 175,900 | | 175,900 |
| | | | PH 2. | | | |
| Def-Wide | MD | FORT MEADE | NSAW CAMPUS CHILLED WATER | 19,100 | | 19,100 |
| | | | BACKUP. | | | |
| Def-Wide | MD | FORT MEADE | MISSION SUPPORT—PSAT | 8,800 | | 8,800 |
| Air Guard | ME | BANGOR IAP | REPLACE AIRCRAFT MAINT | 28,000 | | 28,000 |
| | | | HANGAR/SHOPS. | | | |
| Navy | ME | PORTSMOUTH | GATE 2 SECURITY IMPROVE- | | 7,100 | 7,100 |
| | | NAV SHP | MENTS. | | | |
| Air Guard | MI | ALPENA CRTC | REPLACE TROOP QUARTERS | | 8,900 | 8,900 |
| Air Guard | MI | BATTLE CREEK | CNAF BED DOWN FACILITIES | | 14,000 | 14,000 |
| | | ANG BASE | | | | |
| Air Guard | MI | SELFRIDGE ANG | A-10 SQUAD OPERATIONS FACIL- | | 7,100 | 7,100 |
| | | BASE | ITY. | | | |
| ARNG | MN | ARDEN HILLS | READINESS CENTER PH2 | 6,700 | | 6,700 |
| ARNG | MN | CAMP RIPLEY | URBAN ASSAULT COURSE | 1,710 | | 1,710 |
| Def-Wide | MN | DULUTH IAP | JET FUEL STOARGE COMPLEX | 15,000 | | 15,000 |
| USAR | MN | FORT SNELLING | ARMY RESERVE CENTER | 12,000 | | 12,000 |
| Air Guard | MN | MINN/ST. PAUL | MINNESOTA STARBASE FACILITY | | 1,900 | 1,900 |
| | | IAP 133RD AW | ALTERATION. | | | |
| | | BASE | | | | |
| ARNG | MO | BOONVILLE | READINESS CENTER ADD/ALT | 1,800 | | 1,800 |
| Army | MO | FORT LEONARD | AUTOMATED-AIDED INSTRU- | 27,000 | | 27,000 |
| | | WOOD | CTION FACILITY. | | | |

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|----------------|---------------------------|---------------------|-----------------------------------------------|---------------------------|--------------------------|------------------------------|
| Army | MO | FORT LEONARD WOOD | WHEELED VEHICLE DRIVERS COURSE. | 17,500 | | 17,500 |
| Army | MO | FORT LEONARD WOOD | WARRIOR IN TRANSITION COMPLEX. | 19,500 | | 19,500 |
| Army | MO | FORT LEONARD WOOD | TRANSIENT ADVANCED TRAINEE BARRACKS, PH 1. | 99,000 | | 99,000 |
| Def-Wide | MO | FORT LEONARD WOOD | DENTAL CLINIC ADDITION | 5,570 | | 5,570 |
| Air Guard | MO | ROSECRANS MEM AP | REPLACE FIRE/CRASH RESCUE STATION PHASE II. | | 9,300 | 9,300 |
| ARNG | MS | CAMP SHELBY | COMBINED ARMS COLLECTIVE TNG FAC ADD/ALT. | 16,100 | | 16,100 |
| Air Guard | MS | COLUMBUS AFB | AIRCRAFT MAINTENANCE ADMINISTRATION FACILITY. | | 10,000 | 10,000 |
| AF Reserve | MS | KEESLER AFB | AERIAL PORT SQUADRON FACILITY. | 9,800 | | 9,800 |
| ARNG | MS | MONTICELLO | MONTICELLO NATIONAL GUARD READINESS CENTER. | | 14,350 | 14,350 |
| Air Guard | MT | MALMSTROM AFB | UPGRADE WEAPONS STORAGE AREA. | | 9,600 | 9,600 |
| Def-Wide | NC | CAMP LEJEUNE | SOF ACADEMIC INSTRUCTION FACILITY EXPANSION. | 11,791 | | 11,791 |
| Navy | NC | CAMP LEJEUNE | MAINTENANCE/OPS COMPLEX | 52,390 | | 52,390 |
| Navy | NC | CAMP LEJUNE | BEQ—WALLACE CREEK | 34,160 | | 34,160 |
| Navy | NC | CAMP LEJUNE | UTILITY EXPANSION—COURTHOUSE BAY. | 56,280 | | 56,280 |
| Navy | NC | CAMP LEJUNE | SOI—EAST FACILITIES—CAMP GEIGER. | 56,940 | | 56,940 |
| Navy | NC | CAMP LEJUNE | FIELD TRAINING FAC.—DEVIL DOG—SOI. | 37,170 | | 37,170 |
| Navy | NC | CAMP LEJUNE | ROAD NETWORK—WALLACE CREEK. | 15,130 | | 15,130 |
| Navy | NC | CAMP LEJUNE | MP WORKING DOG KENNEL—RELOCATION. | 8,370 | | 8,370 |
| Navy | NC | CAMP LEJUNE | CONSOLIDATED INFO TECH/TELECOM COMPLEX. | 46,120 | | 46,120 |
| Navy | NC | CAMP LEJUNE | NEW BASE ENTRY POINT AND ROAD (PHASE 1). | 79,150 | | 79,150 |
| Navy | NC | CAMP LEJUNE | BEQ—WALLACE CREEK | 43,480 | | 43,480 |
| Navy | NC | CAMP LEJUNE | BEQ—WALLACE CREEK | 44,390 | | 44,390 |
| Navy | NC | CAMP LEJUNE | BEQ—WALLACE CREEK | 44,390 | | 44,390 |
| Navy | NC | CAMP LEJUNE | BEQ—WALLACE CREEK | 42,110 | | 42,110 |
| Navy | NC | CAMP LEJUNE | PRE-TRIAL DETAINEE FACILITY .. | 18,580 | | 18,580 |
| Navy | NC | CAMP LEJUNE | PHYSICAL FITNESS CENTER | 39,760 | | 39,760 |
| Navy | NC | CAMP LEJUNE | 4TH INFANTRY BATTALION OPS COMPLEX. | 55,150 | | 55,150 |
| Navy | NC | CHERRY POINT MCAS | ORDNANCE MAGAZINES | 12,360 | | 12,360 |
| Navy | NC | CHERRY POINT MCAS | EMS/FIRE VEHICLE FACILITY | 10,600 | | 10,600 |
| Army | NC | FORT BRAGG | VEHICLE MAINTENANCE SHOP | 19,500 | | 19,500 |
| Army | NC | FORT BRAGG | SIMULATIONS CENTER | 50,000 | | 50,000 |
| Army | NC | FORT BRAGG | VEHICLE MAINTENANCE SHOP | 17,500 | | 17,500 |
| Army | NC | FORT BRAGG | COMPANY OPERATIONS FACILITY | 3,300 | | 3,300 |
| Army | NC | FORT BRAGG | TRANSIENT TRAINING BARRACKS COMPLEX. | 16,500 | | 16,500 |
| Army | NC | FORT BRAGG | AUTOMATED SNIPER FIELD FIRE RANGE. | | 2,500 | 2,500 |
| Army | NC | FORT BRAGG | AUTOMATED MULTIPURPOSE MACHINE GUN. | 4,350 | | 4,350 |
| Def-Wide | NC | FORT BRAGG | CONSOLIDATED HEALTH CLINIC .. | 26,386 | | 26,386 |
| Def-Wide | NC | FORT BRAGG | HEALTH CLINIC | 31,272 | | 31,272 |
| Def-Wide | NC | FORT BRAGG | SPECIAL OPS PREP & CONDITIONING COURSE. | 24,600 | | 24,600 |
| Def-Wide | NC | FORT BRAGG | SOF BATTALION & COMPANY HQ | 15,500 | | 15,500 |

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|----------------|---------------------------|-----------------------------------|---------------------------------------------|---------------------------|--------------------------|------------------------------|
| Def-Wide | NC | FORT BRAGG | SOF OPERATIONS SUPPORT ADDITION. | 13,756 | | 13,756 |
| Def-Wide | NC | FORT BRAGG | SOF MILITARY WORKING DOG FACILITY. | 1,125 | | 1,125 |
| Def-Wide | NC | FORT BRAGG | SOF BATTALION HEADQUARTERS FACILITY. | 13,000 | | 13,000 |
| Def-Wide | NC | FORT BRAGG | SOF OPERATIONS ADDITION NORTH. | 27,513 | | 27,513 |
| Def-Wide | NC | FORT BRAGG | SOF TUAV HANGAR | 2,948 | | 2,948 |
| Def-Wide | NC | FORT BRAGG | SOF MILITARY WORKING DOG FACILITY. | 3,046 | | 3,046 |
| Def-Wide | NC | FORT BRAGG | ALBRITTON JHS ADDITION | 3,439 | | 3,439 |
| Navy | NC | NEW RIVER | APRON EXPANSION (PHASE 2) | 35,600 | | 35,600 |
| Navy | NC | NEW RIVER | VMMT-204 MAINTENANCE HANGAR—PHASE 3. | 28,210 | | 28,210 |
| Navy | NC | NEW RIVER | PARALLEL TAXIWAY | 17,870 | | 17,870 |
| Navy | NC | NEW RIVER | TACTICAL SUPPORT VAN PAD ADDITION. | 5,490 | | 5,490 |
| Navy | NC | NEW RIVER | GYMNASIUM/OUTDOOR POOL | 19,920 | | 19,920 |
| Air Force | NC | POPE AFB | POPE AFB AIR TRAFFIC CONTROL TOWER. | | 7,700 | 7,700 |
| Army | NC | SUNNY POINT MOT | TOWERS | 3,900 | | 3,900 |
| Army | NC | SUNNY POINT MOT | LIGHTNING PROTECTION SYSTEM | 25,000 | | 25,000 |
| Air Force | ND | GRAND FORKS AFB | CONSOLIDATED SECURITY FORCES FACILITY. | | 12,000 | 12,000 |
| Air Force | ND | MINOT AFB | MUNITIONS TRAILER STORAGE FACILITY. | 1,500 | | 1,500 |
| Air Force | ND | MINOT AFB | MISSILE PROCEDURES TRNG OPERATIONS. | 10,000 | | 10,000 |
| ARNG | NE | LINCOLN | ARMED FORCES RESERVE CENTER (JFHQ). | 23,000 | | 23,000 |
| Air Guard | NE | LINCOLN MAP | JOINT FORCES OPERATIONS CENTER—ANG SHARE. | 1,500 | | 1,500 |
| Air Force | NE | OFFUTT AIR FORCE BASE | STRATCOM GATE | | 10,400 | 10,400 |
| Air Guard | NH | PEASE ANGB | REPLACE SQUADRON OPERATIONS FACILITIES. | | 10,000 | 10,000 |
| Air Guard | NJ | 108TH AIR REFUEL WNG, MCGUIRE AFB | BASE CIVIL ENGINEERING COMPLEX. | | 9,700 | 9,700 |
| Air Force | NM | CANNON AFB | WB—CONSOLIDATED COMMUNICATION FAC. | 15,000 | | 15,000 |
| Def-Wide | NM | CANNON AFB | SOF FUEL CELL HANGAR (MC-130) | 41,269 | | 41,269 |
| Def-Wide | NM | CANNON AFB | SOF AMU ADDITION (CV-22) | 11,595 | | 11,595 |
| Air Force | NM | HOLLOMAN AFB | F-22A CONSOLIDATED MUNITIONS MAINT (TFI). | 5,500 | | 5,500 |
| Air Force | NM | HOLLOMAN AFB | FIRE-CRASH RESCUE STATION | | 10,400 | 10,400 |
| Air Force | NM | KIRTLAND AFB | MC-130J SIMULATOR FACILITY | 8,000 | | 8,000 |
| Air Force | NM | KIRTLAND AFB | HC-130J SIMULATOR FACILITY | 8,700 | | 8,700 |
| ARNG | NM | SANTA FE | ARMY AVIATION SUPPORT FACILITY. | 39,000 | | 39,000 |
| ARNG | NV | CARSON CITY | NATIONAL GUARD ENERGY SUSTAINABLE PROJECTS. | | 2,000 | 2,000 |
| Air Force | NV | CREECH AFB | UAS AT/FP SECURITY UPDATES | 2,700 | | 2,700 |
| Navy | NV | NAV AIR STA FALLON | WARRIOR PHYSICAL TRAINING FACILITY. | | 11,450 | 11,450 |
| ARNG | NV | NORTH LAS VEGAS | READINESS CENTER | 26,000 | | 26,000 |
| Air Guard | NV | RENO, NV | NV ANG FIRE STATION REPLACEMENT. | | 10,800 | 10,800 |
| Army | NY | FORT DRUM | WATER SYSTEM EXPANSION | 6,500 | | 6,500 |
| Army | NY | FORT DRUM | BARRACKS | 57,000 | | 57,000 |

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|----------------|---------------------------|----------------------------|------------------------------------------------|---------------------------|--------------------------|------------------------------|
| Army | NY | FORT DRUM | WARRIOR IN TRANSITION COM- PLEX. | 21,000 | | 21,000 |
| AF Reserve | NY | NIAGRA FALLS ARB | INDOOR SMALL ARMS RANGE | | 5,700 | 5,700 |
| USAR | NY | ROCHESTER | ARMY RESERVE CENTER/LAND | 13,600 | | 13,600 |
| USAR | OH | CINCINNATI | ARMY RESERVE CENTER/LAND | 13,000 | | 13,000 |
| Air Guard | OH | MANSFIELD | TFI—RED HORSE SQUADRON BEDDOWN. | 11,400 | | 11,400 |
| | | LAHM AIR- PORT | | | | |
| Air Force | OH | WRIGHT-PAT- TERSON AFB | INFO TECH COMPLEX PH 1 | 27,000 | | 27,000 |
| Air Force | OH | WRIGHT-PAT- TERSON AFB | CONVERSION FOR ADVANCED POWER RESEARCH LAB. | 21,000 | | 21,000 |
| Air Force | OH | WRIGHT-PAT- TERSON AFB | REPLACE WEST RAMP, PHASE II .. | | 10,600 | 10,600 |
| Air Force | OK | ALTUS AFB | REPAIR TAXIWAYS | 20,300 | | 20,300 |
| Def-Wide | OK | ALTUS AFB | REPLACE UPLOAD FACILITY | 2,700 | | 2,700 |
| Army | OK | FORT SILL | AUTOMATED INFANTRY SQUAD BATTLE COURSE. | 3,500 | | 3,500 |
| Army | OK | FORT SILL | BARRACKS | 65,000 | | 65,000 |
| Army | OK | FORT SILL | WARRIOR IN TRANSITION COM- PLEX. | 22,000 | | 22,000 |
| Def-Wide | OK | FORT SILL | DENTAL CLINIC | 10,554 | | 10,554 |
| Army | OK | MCALESTER | HIGH EXPLOSIVE MAGAZINE, DEPOT LEVEL. | 1,300 | | 1,300 |
| Army | OK | MCALESTER | GENERAL PURPOSE STORAGE BUILDING. | 11,200 | | 11,200 |
| Air Force | OK | TINKER AFB | BUILDING 3001 HANGER DOOR | 13,037 | | 13,037 |
| Air Force | OK | VANCE, AIR FORCE BASE | CONTROL TOWER | | 10,700 | 10,700 |
| Air Guard | OK | WILL ROGERS AP | TFI—AIR SUPT OPERS SQDN (ASOS) BEDDN. | 7,300 | | 7,300 |
| ARNG | OR | CLATSOP CTNY, WARRENTON | CAMP RILEA INFRASTRUCTURE (WATER SUPPLY). | | 3,369 | 3,369 |
| USAR | PA | ASHLEY | ARMY RESERVE CENTER | 9,800 | | 9,800 |
| FH Con DW | PA | DEF DISTRO DEPOT | DEF DISTRIBUTION DEPOT NEW CUMBERLAND. | 2,859 | | 2,859 |
| USAR | PA | HARRISBURG | ARMY RESERVE CENTER | 7,600 | | 7,600 |
| USAR | PA | NEWTON SQUARE | ARMY RESERVE CENTER/LAND | 20,000 | | 20,000 |
| AF Reserve | PA | PITTSBURGH AIR RES BASE | VISITING QUARTERS PHASE 1 | | 12,400 | 12,400 |
| USAR | PA | UNIONTOWN | ARMY RESERVE CENTER/LAND | 11,800 | | 11,800 |
| Navy | RI | NEWPORT | OFFICER TRAINING COMMAND QUARTERS. | 45,803 | | 45,803 |
| Navy | RI | NEWPORT | VISITING QUARTERS PHASE 1 | | 10,550 | 10,550 |
| Air Guard | SC | AIR NATIONAL GUARD | JOINT FORCE HQ BUILDING MCENTIRE. | | 1,300 | 1,300 |
| Navy | SC | BEAUFORT | WIDEBODY AIRCRAFT FUEL LANE | 1,280 | | 1,280 |
| Naval Res | SC | CHARLESTON | RESERVE VEHICLE MAINTENANCE FACILITY. | 4,240 | | 4,240 |
| Army | SC | CHARLESTON NWS | STAGING AREA | 4,100 | | 4,100 |
| Army | SC | CHARLESTON NWS | RAILROAD TRACKS | 12,000 | | 12,000 |
| Army | SC | CHARLESTON NWS | PIER AND LOADING/UNLOADING RAMPS. | 5,700 | | 5,700 |
| ARNG | SC | EASTOVER | ARMY AVIATION SUPPORT FACIL- ITY ADD/ALT. | 26,000 | | 26,000 |
| Army | SC | FORT JACKSON | ADVANCED SKILLS TRAINEE BAR- RACKS. | 32,000 | | 32,000 |
| Army | SC | FORT JACKSON | MODIFIED RECORD FIRE RANGE | 3,600 | | 3,600 |
| Army | SC | FORT JACKSON | TRAINING BATTALION COMPLEX | 66,000 | | 66,000 |
| Army | SC | FORT JACKSON | INFILTRATION COURSE | 1,900 | | 1,900 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| <i>Account</i> | <i>State/ Country</i> | <i>Installation</i> | <i>Project Title</i> | <i>Budget Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|----------------|---------------------------|-----------------------|-----------------------------------------------|---------------------------|--------------------------|------------------------------|
| ARNG | SC | GREENVILLE | ARMY AVIATION SUPPORT FACILITY. | 40,000 | | 40,000 |
| Navy | SC | PARRIS ISLAND | ELECTRICAL SUBSTATION AND IMPROVEMENTS. | 6,972 | | 6,972 |
| ARNG | SD | CAMP RAPID | JOINT FORCE HQ READINESS CENTER SUPPLEMENT. | | 7,890 | 7,890 |
| ARNG | SD | CAMP RAPID | TROOP MEDICAL CLINIC ADDITION AND ALTERATION. | | 1,950 | 1,950 |
| Air Force | SD | ELLSWORTH AFB | ADD/ALTER DEPLOYMENT CENTER. | | 14,500 | 14,500 |
| Air Guard | SD | JOE FOSS FIELD | ADD AND ALTER MUNITIONS MAINTENANCE COMPLEX. | | 1,300 | 1,300 |
| Air Guard | SD | JOE FOSS FIELD | ABOVE GROUND MULTI-CUBICLE MAGAZINE STORAGE. | | 1,300 | 1,300 |
| Air Guard | TN | 164 AIRLIFT WING, MEM | 164TH AIRLIFT WING ANG ENG MAINT TRNG FAC. | | 9,800 | 9,800 |
| ARNG | TX | AUSTIN | ARMED FORCES RESERVE CENTER. | 16,500 | | 16,500 |
| ARNG | TX | AUSTIN | FIELD MAINTENANCE SHOP, JOINT. | 5,700 | | 5,700 |
| USAR | TX | AUSTIN | ARMED FORCES RESERVE CENTER/AMSA. | 20,000 | | 20,000 |
| Navy | TX | CORPUS CHRISTI | OPERATIONAL FACILITIES FOR T-6. | 19,764 | | 19,764 |
| Air Force | TX | DYESS AFB | C-130J ALTER HANGAR | 4,500 | | 4,500 |
| Army | TX | FORT BLISS | VEHICLE MAINTENANCE SHOP | 16,000 | | 16,000 |
| Army | TX | FORT BLISS | BRIGADE STAGING AREA COMPLEX. | 14,800 | | 14,800 |
| Army | TX | FORT BLISS | DIGITAL MULTIPURPOSE RANGE COMPLEX. | 45,000 | | 45,000 |
| Army | TX | FORT BLISS | FIRE AND MILITARY POLICE STATIONS. | 16,500 | | 16,500 |
| Army | TX | FORT BLISS | AIRCRAFT FUEL STORAGE | 10,800 | | 10,800 |
| Army | TX | FORT BLISS | VEHICLE MAINTENANCE SHOP | 20,000 | | 20,000 |
| Army | TX | FORT BLISS | AUTOMATED SNIPER FIELD FIRE RANGE. | 4,250 | | 4,250 |
| Army | TX | FORT BLISS | KNOWN DISTANCE RANGE | 4,750 | | 4,750 |
| Army | TX | FORT BLISS | AUTOMATED MULTIPURPOSE MACHINE GUN RANGE. | 6,900 | | 6,900 |
| Army | TX | FORT BLISS | SCOUT/RECCE GUNNERY COMPLEX. | 17,000 | | 17,000 |
| Army | TX | FORT BLISS | LIGHT DEMOLITION RANGE | 2,400 | | 2,400 |
| Army | TX | FORT BLISS | AUTOMATED INFANTRY PLATOON BATTLE COURSE. | 7,000 | | 7,000 |
| Army | TX | FORT BLISS | SIMULATION CENTER | 23,000 | | 23,000 |
| Army | TX | FORT BLISS | VEHICLE MAINTENANCE & COMPANY OPS FAC. | 31,000 | | 31,000 |
| Def-Wide | TX | FORT BLISS | HEALTH AND DENTAL CLINIC | 30,295 | -5,695 | 24,600 |
| Def-Wide | TX | FORT BLISS | HOSPITAL REPLACEMENT PHASE 1 (INCR 1). | 86,975 | -24,000 | 62,975 |
| USAR | TX | FORT BLISS | ARMY RESERVE CENTER | 9,500 | | 9,500 |
| Army | TX | FORT HOOD | VEHICLE MAINTENANCE SHOP | 23,000 | | 23,000 |
| Army | TX | FORT HOOD | URBAN ASSAULT COURSE | 2,400 | | 2,400 |
| Army | TX | FORT HOOD | AUTOMATED MULTIPURPOSE MACHINE GUN RANGE. | 6,700 | | 6,700 |
| Def-Wide | TX | FORT HOOD | ALTER FUEL PUMP HOUSE AND FILL STAND. | 3,000 | | 3,000 |
| Army | TX | FORT SAM HOUSTON | ACCESS CONTROL POINT AND ROAD IMPROVEMENTS. | 10,800 | | 10,800 |
| Army | TX | FORT SAM HOUSTON | GENERAL INSTRUCTION BUILDING. | 9,000 | | 9,000 |
| Air Force | TX | GOODFELLOW AFB | JOINT INTEL TECH TRNG FAC, PH 1 (TFI). | 18,400 | | 18,400 |
| Air Force | TX | GOODFELLOW AFB | STUDENT DORMITORY (100 RM) | 14,000 | | 14,000 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| <i>Account</i> | <i>State/ Country</i> | <i>Installation</i> | <i>Project Title</i> | <i>Budget Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-------------------|---------------------------|------------------------------------|--------------------------------------------------------------|---------------------------|--------------------------|------------------------------|
| <i>Air Force</i> | <i>TX</i> | <i>GOODFELLOW AFB</i> | <i>CONSOLIDATED LEARNING CENTER.</i> | | <i>12,000</i> | <i>12,000</i> |
| <i>USAR</i> | <i>TX</i> | <i>HOUSTON</i> | <i>ARMY RESERVE CENTER/LAND</i> | <i>24,000</i> | | <i>24,000</i> |
| <i>AF Reserve</i> | <i>TX</i> | <i>LACKLAND AFB</i> | <i>C-5 GROUND TRAINING SCHOOL- HOUSE ADDITION.</i> | <i>1,500</i> | | <i>1,500</i> |
| <i>Air Force</i> | <i>TX</i> | <i>LACKLAND AFB</i> | <i>EVASION, CONDUCT AFTER CAP- TURE TRNG.</i> | <i>4,879</i> | | <i>4,879</i> |
| <i>Air Force</i> | <i>TX</i> | <i>LACKLAND AFB</i> | <i>RECRUIT DORMITORY 2, PHASE 2</i> | <i>77,000</i> | | <i>77,000</i> |
| <i>Air Force</i> | <i>TX</i> | <i>LACKLAND AFB</i> | <i>BMT SATELLITE CLASSROOM/DIN- ING FAC.</i> | <i>32,000</i> | | <i>32,000</i> |
| <i>Def-Wide</i> | <i>TX</i> | <i>LACKLAND AFB</i> | <i>DENTAL CLINIC REPLACEMENT ...</i> | <i>29,318</i> | | <i>29,318</i> |
| <i>Def-Wide</i> | <i>TX</i> | <i>LACKLAND AFB</i> | <i>AMBULATORY CARE CENTER, PHASE 1 (INCR 1).</i> | <i>72,610</i> | | <i>72,610</i> |
| <i>Naval Res</i> | <i>TX</i> | <i>SAN ANTONIO</i> | <i>RESERVE TRAINING CENTER</i> | <i>2,210</i> | | <i>2,210</i> |
| <i>USAR</i> | <i>TX</i> | <i>SAN ANTONIO</i> | <i>ARMY RESERVE CENTER</i> | <i>20,000</i> | | <i>20,000</i> |
| <i>Air Force</i> | <i>TX</i> | <i>SHEPPARD AFB</i> | <i>ENJPT OPERATIONS COMPLEX, PHASE 1.</i> | | <i>11,600</i> | <i>11,600</i> |
| <i>Def-Wide</i> | <i>UT</i> | <i>CAMP WILLIAMS</i> | <i>IC CNCI DATA CENTER 1 (INCR 2) ..</i> | <i>800,000</i> | <i>-200,000</i> | <i>600,000</i> |
| <i>Army</i> | <i>UT</i> | <i>DUGWAY PROV- ING GROUND</i> | <i>WATER TREATMENT SYSTEMS</i> | <i>25,000</i> | | <i>25,000</i> |
| <i>AF Reserve</i> | <i>UT</i> | <i>HILL AFB</i> | <i>RESERVE SQUAD OPS/AMU FACIL- ITY.</i> | <i>3,200</i> | | <i>3,200</i> |
| <i>Air Force</i> | <i>UT</i> | <i>HILL AFB</i> | <i>F-22A RADAR CROSS SECTION TESTING FAC.</i> | <i>21,053</i> | | <i>21,053</i> |
| <i>Air Guard</i> | <i>UT</i> | <i>HILL AFB</i> | <i>PCC APRON NORTHWEST END TAXIWAY.</i> | | <i>5,100</i> | <i>5,100</i> |
| <i>Def-Wide</i> | <i>VA</i> | <i>DAHLGREN</i> | <i>AEGIS BMD FACILITY EXPANSION</i> | <i>24,500</i> | | <i>24,500</i> |
| <i>Navy</i> | <i>VA</i> | <i>DAHLGREN</i> | <i>ELECTROMAGNETIC RESEARCH AND ENG FACILITY.</i> | | <i>3,660</i> | <i>3,660</i> |
| <i>Def-Wide</i> | <i>VA</i> | <i>DAM NECK</i> | <i>SOF OPERATIONS FACILITY INC III.</i> | <i>15,967</i> | | <i>15,967</i> |
| <i>Army</i> | <i>VA</i> | <i>FORT A.P. HILL</i> | <i>AUTOMATED INFANTRY PLA- TOON BATTLE COURSE.</i> | <i>4,900</i> | | <i>4,900</i> |
| <i>Army</i> | <i>VA</i> | <i>FORT A.P. HILL</i> | <i>FIELD TRAINING AREA</i> | <i>9,000</i> | | <i>9,000</i> |
| <i>Army</i> | <i>VA</i> | <i>FORT A.P. HILL</i> | <i>TRAINING AIDS CENTER</i> | <i>9,100</i> | | <i>9,100</i> |
| <i>Army</i> | <i>VA</i> | <i>FORT BELVOIR</i> | <i>FLIGHT CONTROL TOWER</i> | <i>8,400</i> | | <i>8,400</i> |
| <i>Army</i> | <i>VA</i> | <i>FORT BELVOIR</i> | <i>ROAD AND ACCESS CONTROL POINT.</i> | <i>9,500</i> | | <i>9,500</i> |
| <i>Army</i> | <i>VA</i> | <i>FORT BELVOIR</i> | <i>ROAD AND INFRASTRUCTURE IM- PROVEMENTS.</i> | <i>20,000</i> | <i>-20,000</i> | |
| <i>ARNG</i> | <i>VA</i> | <i>FORT PICKETT</i> | <i>REGIONAL TRAINING INSTITUTE PH2.</i> | <i>32,000</i> | | <i>32,000</i> |
| <i>Army</i> | <i>VA</i> | <i>FT. EUSTIS</i> | <i>UPGRADE MARSHALLING AREA ...</i> | | <i>8,900</i> | <i>8,900</i> |
| <i>Air Force</i> | <i>VA</i> | <i>LANGLEY AFB</i> | <i>WEST & LASALLE GATES FORCE PROTECTION/ACCESS.</i> | <i>10,000</i> | | <i>10,000</i> |
| <i>Def-Wide</i> | <i>VA</i> | <i>LITTLE CREEK</i> | <i>SOF SUPPORT ACTIVITY OPER- ATION FACILITY.</i> | <i>18,669</i> | | <i>18,669</i> |
| <i>Navy</i> | <i>VA</i> | <i>LITTLE CREEK</i> | <i>NAVAL CONSTRUCTION DIVISION OPERATIONS FAC.</i> | <i>13,095</i> | | <i>13,095</i> |
| <i>Navy</i> | <i>VA</i> | <i>NORFOLK</i> | <i>E-2D TRAINER FACILITY</i> | <i>11,737</i> | | <i>11,737</i> |
| <i>Navy</i> | <i>VA</i> | <i>NORFOLK</i> | <i>FACILITY UPGRADES FOR E-2D PROGRAM.</i> | <i>6,402</i> | | <i>6,402</i> |
| <i>Naval Res</i> | <i>VA</i> | <i>OCEANA</i> | <i>C-40 HANGAR</i> | <i>30,400</i> | | <i>30,400</i> |
| <i>Def-Wide</i> | <i>VA</i> | <i>PENTAGON</i> | <i>PENTAGON ELECTRICAL UP- GRADE.</i> | <i>19,272</i> | | <i>19,272</i> |
| <i>Def-Wide</i> | <i>VA</i> | <i>PENTAGON</i> | <i>SECONDARY UNINTERRUPTIBLE POWER RAVEN ROCK.</i> | <i>8,400</i> | | <i>8,400</i> |
| <i>Navy</i> | <i>VA</i> | <i>PORTSMOUTH</i> | <i>SHIP REPAIR PIER REPLACEMENT (INCR 1).</i> | <i>226,969</i> | <i>-100,000</i> | <i>126,969</i> |
| <i>Navy</i> | <i>VA</i> | <i>QUANTICO</i> | <i>STUDENT QUARTERS—TBS (PHASE 4).</i> | <i>32,060</i> | | <i>32,060</i> |
| <i>Navy</i> | <i>VA</i> | <i>QUANTICO</i> | <i>BATTALION TRAINING FACIL- ITY—MSGBN.</i> | <i>10,340</i> | | <i>10,340</i> |
| <i>Navy</i> | <i>VA</i> | <i>QUANTICO</i> | <i>MC INFORMATION OPERATIONS CENTER—MCIOC.</i> | <i>29,620</i> | | <i>29,620</i> |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

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|----------------|---------------------------|----------------------------------------|-----------------------------------------------------|---------------------------|--------------------------|------------------------------|
| Navy | VA | QUANTICO | AIRCRAFT TRAINER | 3,170 | | 3,170 |
| Navy | VA | QUANTICO | DINING FACILITY—TBS | 14,780 | | 14,780 |
| Navy | VA | QUANTICO | SOUTH MAINSIDE ELECTRICAL SUBSTATION. | 15,270 | | 15,270 |
| Air Guard | VT | BURLINGTON IAP | FIRE CRASH AND RESCUE STA- TION ADDITION. | | 6,000 | 6,000 |
| ARNG | VT | ETHAN ALLEN RANGE | BOQ ADDITIONS AND IMPROVE- MENTS. | | 1,996 | 1,996 |
| Navy | WA | BANGOR | LIMITED AREA PRODUCTION/ STRG CMLX (INC 6). | 87,292 | | 87,292 |
| Navy | WA | BREMERTON | ENCLAVE FENCING/PARKING, SILVERDALE WA (INCR 2). | 67,419 | | 67,419 |
| Navy | WA | BREMERTON | CVN MAINTENANCE PIER RE- PLACEMENT (INC 2). | 69,064 | | 69,064 |
| Air Force | WA | FAIRCHILD AFB | SERE FORCE SUPPORT COMPLEX, PHASE I. | | 11,000 | 11,000 |
| Def-Wide | WA | FAIRCHILD AFB | REPLACE FUEL DISTRIBUTION SYSTEM. | 7,500 | | 7,500 |
| Army | WA | FORT LEWIS | LIVE FIRE EXERCISE SHOOTHOUSE. | 2,550 | | 2,550 |
| Army | WA | FORT LEWIS | ANIMAL BUILDING | 3,050 | | 3,050 |
| Army | WA | FORT LEWIS | BRIGADE COMPLEX, INC 4 | 102,000 | | 102,000 |
| Army | WA | FORT LEWIS | MODIFIED RECORD FIRE RANGE | 4,100 | | 4,100 |
| Def-Wide | WA | FORT LEWIS | HEALTH AND DENTAL CLINIC | 15,636 | | 15,636 |
| Def-Wide | WA | FORT LEWIS | SOF SUPPORT COMPANY FACIL- ITY. | 14,500 | | 14,500 |
| Navy | WA | SPOKANE | JNT PERS RECOVERY AGENCY SPECIALIZED SERE TRA. | 12,707 | | 12,707 |
| USAR | WI | FORT MCCOY | COMBINED ARMS COLLECTIVE TRAINING FACILITY. | 25,000 | | 25,000 |
| USAR | WI | FORT MCCOY | RANGE UTILITY UPGRADE | | 3,850 | 3,850 |
| Air Guard | WI | GENERAL MITCHELL IAP | UPGRADE CORROSION CONTROL HANGAR. | | 5,000 | 5,000 |
| Navy | WV | NAVAL SECTY GRP ACT, SUGAR GROVE | EMERGENCY SERVICES CENTER ... | | 9,560 | 9,560 |
| Air Guard | WV | SHEPHERD AB, MARTINSBURG | C-5 TAXIWAY UPGRADES | | 19,500 | 19,500 |
| ARNG | WV | ST. ALBANS AR- MORY | LIFE SAFETY UPGRADE | | 2,000 | 2,000 |
| Air Guard | WY | CHEYENNE AIR- PORT | SQUADRON OPERATIONS | | 1,500 | 1,500 |
| Air Force | WY | F. E. WARREN AFB | ADAL MISSILE SERVICE COM- PLEX. | 9,100 | | 9,100 |
| BRAC 05 | ZU | UNSPECIFIED WORLDWIDE | BASE REALIGNMENT AND CLO- SURE 2005. | 7,479,498 | | 7,479,498 |
| BRAC IV | ZU | UNSPECIFIED WORLDWIDE | BASE REALIGNMENT AND CLO- SURE IV. | 396,768 | | 396,768 |
| Air Force | AF | BAGRAM AIR BASE | PASSENGER TERMINAL | 22,000 | | 22,000 |
| Army | AF | BAGRAM AIR BASE | FUEL SYSTEM PH 6 | 12,000 | | 12,000 |
| Army | AF | BAGRAM AIR BASE | FUEL SYSTEM PH 7 | 5,000 | | 5,000 |
| Army | AF | BAGRAM AIR BASE | COALITION OPERATION CENTER | 49,000 | | 49,000 |
| Army | AF | BAGRAM AIR BASE | APS COMPOUND | 38,000 | | 38,000 |
| Army | AF | BAGRAM AIR BASE | AVIATION SUPPORT FACILITY | 2,600 | | 2,600 |
| Army | AF | BAGRAM AIR BASE | BARRACKS | 18,500 | -18,500 | |
| Army | AF | BAGRAM AIR BASE | COMMAND AND CONTROL FACIL- ITY. | 38,000 | -38,000 | |

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|------------------|---------------------------|----------------------|---------------------------------------|---------------------------|--------------------------|------------------------------|
| <i>Army</i> | <i>AF</i> | <i>BAGRAM AIR</i> | <i>PERIMETER FENCE AND GUARD</i> | <i>7,000</i> | <i>-7,000</i> | |
| <i>Def-Wide</i> | <i>BE</i> | <i>BASE</i> | <i>TOWERS.</i> | | | |
| | | <i>BRUSSELS</i> | <i>REPLACE ELEMENTARY SCHOOL</i> | <i>38,124</i> | | <i>38,124</i> |
| | | | <i>(SHAPE) PHASE 1.</i> | | | |
| <i>Navy</i> | <i>BI</i> | <i>SW ASIA</i> | <i>WATERFRONT DEVELOPMENT</i> | <i>41,526</i> | | <i>41,526</i> |
| | | | <i>PHASE 2.</i> | | | |
| <i>Air Force</i> | <i>CM</i> | <i>PALANQUERO</i> | <i>PALANQUERO AB DEVELOPMENT</i> | <i>46,000</i> | | <i>46,000</i> |
| | | <i>AB</i> | | | | |
| <i>Navy</i> | <i>DJ</i> | <i>CAMP</i> | <i>INTERIOR PAVED ROADS PHASE A</i> | <i>7,275</i> | | <i>7,275</i> |
| | | <i>LEMONIER</i> | | | | |
| <i>Navy</i> | <i>DJ</i> | <i>CAMP</i> | <i>AMMO SUPPLY POINT</i> | <i>21,689</i> | | <i>21,689</i> |
| | | <i>LEMONIER</i> | | | | |
| <i>Navy</i> | <i>DJ</i> | <i>CAMP</i> | <i>SECURITY FENCING I</i> | <i>8,109</i> | | <i>8,109</i> |
| | | <i>LEMONIER</i> | | | | |
| <i>Navy</i> | <i>DJ</i> | <i>CAMP</i> | <i>FIRE STATION</i> | <i>4,772</i> | | <i>4,772</i> |
| | | <i>LEMONIER</i> | | | | |
| <i>Def-Wide</i> | <i>GB</i> | <i>GUANTANAMO</i> | <i>REPLACE FUEL STORAGE TANKS</i> | <i>12,500</i> | | <i>12,500</i> |
| | | <i>BAY</i> | | | | |
| <i>Def-Wide</i> | <i>GE</i> | <i>BOEBLINGEN</i> | <i>NEW ELEMENTARY SCHOOL</i> | | <i>50,000</i> | <i>50,000</i> |
| <i>Def-Wide</i> | <i>GR</i> | <i>SOUDA BAY</i> | <i>FUEL STORAGE TANKS & PIPE-</i> | <i>24,000</i> | | <i>24,000</i> |
| | | | <i>LINE RPL.</i> | | | |
| <i>Def-Wide</i> | <i>GU</i> | <i>AGANA NAVAL</i> | <i>REPLACE GAS CYLINDER STOR-</i> | <i>4,900</i> | | <i>4,900</i> |
| | | <i>AIR STATION</i> | <i>AGE FACILITY.</i> | | | |
| <i>Air Force</i> | <i>GU</i> | <i>ANDERSEN AFB</i> | <i>STRIKE FOL ELECTRICAL INFRA-</i> | <i>33,750</i> | | <i>33,750</i> |
| | | | <i>STRUCTURE.</i> | | | |
| <i>Air Force</i> | <i>GU</i> | <i>ANDERSEN AFB</i> | <i>NW FIELD ATFP PERIMETER</i> | <i>4,752</i> | | <i>4,752</i> |
| | | | <i>FENCE AND ROAD.</i> | | | |
| <i>Air Force</i> | <i>GU</i> | <i>ANDERSEN AFB</i> | <i>COMMANDO WARRIOR OPER-</i> | <i>4,200</i> | | <i>4,200</i> |
| | | | <i>ATIONS FAC.</i> | | | |
| <i>Air Force</i> | <i>GU</i> | <i>ANDERSEN AFB</i> | <i>NW FIELD COMBAT SPT VEHICLE</i> | <i>15,500</i> | | <i>15,500</i> |
| | | | <i>MAINT FAC.</i> | | | |
| <i>ARNG</i> | <i>GU</i> | <i>BARRIGADA</i> | <i>READINESS CENTER</i> | <i>30,000</i> | | <i>30,000</i> |
| <i>Army</i> | <i>GY</i> | <i>ANSBACH</i> | <i>BARRACKS</i> | <i>17,500</i> | | <i>17,500</i> |
| <i>Army</i> | <i>GY</i> | <i>ANSBACH</i> | <i>BARRACKS</i> | <i>14,200</i> | | <i>14,200</i> |
| <i>FH Con</i> | <i>GY</i> | <i>BAUMHOLDER</i> | <i>FAMILY HOUSING REPLACEMENT</i> | <i>18,000</i> | | <i>18,000</i> |
| <i>Army</i> | | | <i>CONSTRU (138 UNITS).</i> | | | |
| <i>Def-Wide</i> | <i>GY</i> | <i>KAISERLAUTERN</i> | <i>KAISERSLAUTERN COMPLEX—</i> | <i>19,380</i> | | <i>19,380</i> |
| | | <i>AB</i> | <i>PHASE 1.</i> | | | |
| <i>Def-Wide</i> | <i>GY</i> | <i>KAISERLAUTERN</i> | <i>KAISERSLAUTERN HS REPLACE</i> | <i>74,165</i> | | <i>74,165</i> |
| | | <i>AB</i> | <i>SCHOOL.</i> | | | |
| <i>Army</i> | <i>GY</i> | <i>KLEBER</i> | <i>BARRACKS</i> | <i>20,000</i> | | <i>20,000</i> |
| | | <i>KASERNE</i> | | | | |
| <i>Army</i> | <i>GY</i> | <i>LANDSTUHL</i> | <i>WARRIOR IN TRANSITION (WT)</i> | <i>25,000</i> | <i>-25,000</i> | |
| | | | <i>COMPLEX.</i> | | | |
| <i>Air Force</i> | <i>GY</i> | <i>RAMSTEIN AB</i> | <i>CONSTRUCT AGE MAINT COM-</i> | <i>11,500</i> | | <i>11,500</i> |
| | | | <i>PLEX.</i> | | | |
| <i>Air Force</i> | <i>GY</i> | <i>RAMSTEIN AB</i> | <i>CONTINGENCY RESPONSE GROUP</i> | <i>23,200</i> | | <i>23,200</i> |
| | | | <i>COMMAND.</i> | | | |
| <i>Air Force</i> | <i>GY</i> | <i>SPANGDAHLEM</i> | <i>FITNESS CTR</i> | <i>23,500</i> | | <i>23,500</i> |
| | | <i>AB</i> | | | | |
| <i>Def-Wide</i> | <i>GY</i> | <i>WEISBADEN</i> | <i>WIESBADEN HS NEW CAFETERIA</i> | <i>5,379</i> | | <i>5,379</i> |
| | | | <i>AND KITCHEN.</i> | | | |
| <i>FH Con</i> | <i>GY</i> | <i>WEISBADEN</i> | <i>FAMILY HOUSING REPLACEMENT</i> | <i>10,000</i> | | <i>10,000</i> |
| <i>Army</i> | | | <i>CONST INC 2.</i> | | | |
| <i>FH Con</i> | <i>GY</i> | <i>WEISBADEN</i> | <i>FAMILY HOUSING REPLACEMENT</i> | <i>11,000</i> | | <i>11,000</i> |
| <i>Army</i> | | | <i>CONST INC 2.</i> | | | |
| <i>FH Con</i> | <i>GY</i> | <i>WEISBADEN</i> | <i>FAMILY HOUSING REPLACEMENT</i> | <i>11,000</i> | | <i>11,000</i> |
| <i>Army</i> | | | <i>CONST INC 2.</i> | | | |
| <i>Air Force</i> | <i>IT</i> | <i>SIGONELLA</i> | <i>GLOBAL HAWK AIRCRAFT MAINT</i> | <i>31,300</i> | <i>-31,300</i> | |
| | | | <i>AND OPS COMPLEX.</i> | | | |
| <i>Army</i> | <i>IT</i> | <i>VICENZA</i> | <i>BDE COMPLEX—OPERATIONS SPT</i> | <i>23,500</i> | | <i>23,500</i> |
| | | | <i>FAC, INCR 3.</i> | | | |
| <i>Army</i> | <i>IT</i> | <i>VICENZA</i> | <i>BDE COMPLEX—BARRACKS/COM-</i> | <i>22,500</i> | | <i>22,500</i> |
| | | | <i>MUNITY, INCR 3.</i> | | | |
| <i>Army</i> | <i>JA</i> | <i>OKINAWA</i> | <i>TRAINING AIDS CENTER</i> | <i>6,000</i> | | <i>6,000</i> |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| <i>Account</i> | <i>State/ Country</i> | <i>Installation</i> | <i>Project Title</i> | <i>Budget Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|----------------|---------------------------|--------------------------|----------------------------------------------------|---------------------------|--------------------------|------------------------------|
| Army | JA | SAGAMIHARA | TRAINING AIDS CENTER | 6,000 | | 6,000 |
| Army | KR | CAMP HUM- PHREYS | VEHICLE MAINTENANCE SHOP | 19,000 | | 19,000 |
| Army | KR | CAMP HUM- PHREYS | VEHICLE MAINTENANCE SHOP | 18,000 | | 18,000 |
| Army | KR | CAMP HUM- PHREYS | FIRE STATIONS | 13,200 | | 13,200 |
| Def-Wide | KR | K-16 AIRFIELD | CONVERT WAREHOUSES | 5,050 | | 5,050 |
| Def-Wide | KR | OSAN AB | REPLACE HYDRANT FUEL SYS- TEM. | 28,000 | | 28,000 |
| FH Con Navy | KR | PUSAN | CONSTR CHINHAE WELCOME CTR/ WAREHOUSE. | 4,376 | | 4,376 |
| Army | KU | CAMP ARIFJAN | APS WAREHOUSES | 82,000 | | 82,000 |
| Def-Wide | ML | GUAM | HOSPITAL REPLACEMENT (INCR I). | 259,156 | -59,156 | 200,000 |
| FH Con Navy | ML | GUAM | REPLACE GUAM N. TIPALAO PH III. | 20,730 | | 20,730 |
| Navy | ML | GUAM | CONSOLIDATED SLC TRAINING & CSS-15 HQ FAC. | 45,309 | | 45,309 |
| Navy | ML | GUAM | MILITARY WORKING DOG RELO- CATION, APRA HARBOR. | 27,070 | -17,070 | 10,000 |
| Navy | ML | GUAM | DEFENSE ACCESS ROAD IM- PROVEMENTS. | 48,860 | | 48,860 |
| Navy | ML | GUAM | AAFB NORTH RAMP UTILITIES (PHASE I). | 21,500 | -21,500 | |
| Navy | ML | GUAM | AAFB NORTH RAMP PARKING (PHASE I). | 88,797 | -88,797 | |
| Navy | ML | GUAM | APRA HARBOR WHARVES IMP. (INCR I). | 167,033 | -83,516 | 83,517 |
| Navy | ML | GUAM | TORPEDO EXERCISE SUPPORT BUILDING. | 15,627 | | 15,627 |
| Air Force | OM | AL MUSANNAH AB | WAR RESERVE MATERIAL COM- POUND. | 47,000 | -47,000 | |
| Air Force | OM | AL MUSANNAH AB | AIRLIFT RAMP AND FUEL FACILI- TIES. | 69,000 | -69,000 | |
| USAR | PR | CAGUAS | ARMY RESERVE CENTER/LAND | 12,400 | | 12,400 |
| Air Force | QA | AL UDEID, QATAR | BLATCHFORD-PRESTON COM- PLEX PH II. | 60,000 | | 60,000 |
| Navy | SP | ROTA | RECEPTION AIRFIELD FACILITIES | 26,278 | | 26,278 |
| Air Force | TK | INCIRLIK AB | CONSTRUCT CONSOLIDATED COMMUNITY CTR. | 9,200 | | 9,200 |
| Def-Wide | UK | MENWITH HILL STATION | MHS PSC CONSTRUCTION | 37,588 | | 37,588 |
| Def-Wide | UK | RAF MILDENHALL | CONNECT FUEL TANK DISTRIBU- TION PIPE LN. | 4,700 | | 4,700 |
| Def-Wide | UK | RAF ALCONBURY | MEDICAL/DENTAL CLINIC RE- PLACEMENT. | 14,227 | | 14,227 |
| Def-Wide | UK | RAF LAKENHEATH | LIBERTY IS—GYMNASIUM | 4,509 | | 4,509 |
| ARNG | VI | ST. CROIX | REGIONAL TRAINING INSTITUTE PHI. | 20,000 | | 20,000 |
| Air Force | ZC | CLASSIFIED LO- CATION | CLASSIFIED PLANNING & DESIGN | 3,000 | | 3,000 |
| NSIP | ZU | NSIP | NATO SECURITY INVESTMENT PROGRAM. | 276,314 | | 276,314 |
| AF Reserve | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 1,976 | | 1,976 |
| Air Force | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUC- TION. | 18,000 | | 18,000 |
| Air Force | ZU | UNSPECIFIED WORLDWIDE | PLANNING & DESIGN | 79,363 | | 79,363 |
| Air Guard | ZU | UNSPECIFIED WORLDWIDE | MINOR CONSTRUCTION | 9,000 | | 9,000 |
| Air Guard | ZU | UNSPECIFIED WORLDWIDE | PLANNING & DESIGN | 10,061 | | 10,061 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| <i>Account</i> | <i>State/ Country</i> | <i>Installation</i> | <i>Project Title</i> | <i>Budget Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|----------------|---------------------------|--------------------------|-----------------------------------------------|---------------------------|--------------------------|------------------------------|
| Army | ZU | UNSPECIFIED WORLDWIDE | MINOR CONSTRUCTION FY10 | 23,000 | | 23,000 |
| Army | ZU | UNSPECIFIED WORLDWIDE | PLANNING & DESIGN FY10 | 153,029 | | 153,029 |
| Army | ZU | UNSPECIFIED WORLDWIDE | HOST NATION SUPPORT FY10 | 25,000 | | 25,000 |
| ARNG | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUC- TION. | 10,300 | | 10,300 |
| ARNG | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 23,981 | | 23,981 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 3,575 | | 3,575 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | MINOR CONSTRUCTION | 4,525 | | 4,525 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUC- TION. | 6,800 | | 6,800 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | MINOR CONSTRUCTION | 3,717 | | 3,717 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 2,000 | | 2,000 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 10,534 | | 10,534 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | JEP EXERCISE RELATED CON- STRUCTION. | 7,861 | | 7,861 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | ENERGY CONSERVATION IM- PROVEMENT PROGRAM. | 90,000 | 33,013 | 123,013 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | CONTINGENCY CONSTRUCTION | 10,000 | | 10,000 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUC- TION. | 3,000 | | 3,000 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 35,579 | | 35,579 |
| FH Con AF | ZU | UNSPECIFIED WORLDWIDE | CONSTRUCTION IMPROVMENTS ... | 61,737 | | 61,737 |
| FH Con AF | ZU | UNSPECIFIED WORLDWIDE | CLASSIFIED PROJECT | 50 | | 50 |
| FH Con AF | ZU | UNSPECIFIED WORLDWIDE | PLANNING & DESIGN | 4,314 | | 4,314 |
| FH Con Army | ZU | UNSPECIFIED WORLDWIDE | CONSTRUCTION IMPROVEMENTS (2428 UNITS). | 219,300 | | 219,300 |
| FH Con Army | ZU | UNSPECIFIED WORLDWIDE | FAMILY HOUSING P&D | 3,936 | | 3,936 |
| FH Con Navy | ZU | UNSPECIFIED WORLDWIDE | IMPROVEMENTS | 118,692 | | 118,692 |
| FH Con Navy | ZU | UNSPECIFIED WORLDWIDE | DESIGN | 2,771 | | 2,771 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | UTILITIES ACCOUNT | 81,686 | | 81,686 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | MANAGEMENT ACCOUNT | 1,557 | | 1,557 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | MANAGEMENT ACCOUNT | 51,334 | | 51,334 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | SERVICES ACCOUNT | 20,183 | | 20,183 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | FURNISHINGS ACCOUNT | 39,182 | | 39,182 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | MISCELLANEOUS ACCOUNT | 1,543 | | 1,543 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | LEASING ACCOUNT | 548 | | 548 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | LEASING | 102,858 | | 102,858 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | MAINTENANCE ACCOUNT | 1,911 | | 1,911 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/ Country | Installation | Project Title | Budget Request | Senate Change | Senate Authorized |
|----------------|---------------------------|---------------------|-------------------------------------|---------------------------|--------------------------|------------------------------|
| FH Ops AF | ZU | UNSPECIFIED | MAINTENANCE (RPMA & RPMC) ... | 148,318 | | 148,318 |
| | | WORLDWIDE | | | | |
| FH Ops AF | ZU | UNSPECIFIED | HOUSING PRIVATIZATION | 53,816 | | 53,816 |
| | | WORLDWIDE | | | | |
| FH Ops Army | ZU | UNSPECIFIED | UTILITIES ACCOUNT | 81,650 | | 81,650 |
| | | WORLDWIDE | | | | |
| FH Ops Army | ZU | UNSPECIFIED | OPERATIONS | 87,263 | | 87,263 |
| | | WORLDWIDE | | | | |
| FH Ops Army | ZU | UNSPECIFIED | MISCELLANEOUS ACCOUNT | 1,177 | | 1,177 |
| | | WORLDWIDE | | | | |
| FH Ops Army | ZU | UNSPECIFIED | LEASING | 205,685 | | 205,685 |
| | | WORLDWIDE | | | | |
| FH Ops Army | ZU | UNSPECIFIED | MAINTENANCE OF REAL PROP- ERTY. | 115,854 | | 115,854 |
| | | WORLDWIDE | | | | |
| FH Ops Army | ZU | UNSPECIFIED | PRIVATIZATION SUPPORT COSTS | 31,789 | | 31,789 |
| | | WORLDWIDE | | | | |
| FH Ops DW | ZU | UNSPECIFIED | RECISSION (PUBLIC LAW 110-5) | | | |
| | | WORLDWIDE | | | | |
| FH Ops DW | ZU | UNSPECIFIED | OPERATIONS | 35 | | 35 |
| | | WORLDWIDE | | | | |
| FH Ops DW | ZU | UNSPECIFIED | LEASING | 10,108 | | 10,108 |
| | | WORLDWIDE | | | | |
| FH Ops DW | ZU | UNSPECIFIED | MAINTENANCE OF REAL PROP- ERTY. | 69 | | 69 |
| | | WORLDWIDE | | | | |
| FH Ops DW | ZU | UNSPECIFIED | FURNISHINGS ACCOUNT | 4,426 | | 4,426 |
| | | WORLDWIDE | | | | |
| FH Ops DW | ZU | UNSPECIFIED | LEASING | 33,579 | | 33,579 |
| | | WORLDWIDE | | | | |
| FH Ops DW | ZU | UNSPECIFIED | UTILITIES ACCOUNT | 274 | | 274 |
| | | WORLDWIDE | | | | |
| FH Ops DW | ZU | UNSPECIFIED | FURNISHINGS ACCOUNT | 19 | | 19 |
| | | WORLDWIDE | | | | |
| FH Ops DW | ZU | UNSPECIFIED | SERVICES ACCOUNT | 29 | | 29 |
| | | WORLDWIDE | | | | |
| FH Ops DW | ZU | UNSPECIFIED | MANAGEMENT ACCOUNT | 309 | | 309 |
| | | WORLDWIDE | | | | |
| FH Ops DW | ZU | UNSPECIFIED | MAINTENANCE OF REAL PROP- ERTY. | 366 | | 366 |
| | | WORLDWIDE | | | | |
| FH Ops Navy | ZU | UNSPECIFIED | UTILITIES ACCOUNT | 53,956 | | 53,956 |
| | | WORLDWIDE | | | | |
| FH Ops Navy | ZU | UNSPECIFIED | FURNISHINGS ACCOUNT | 14,624 | | 14,624 |
| | | WORLDWIDE | | | | |
| FH Ops Navy | ZU | UNSPECIFIED | MANAGEMENT ACCOUNT | 60,278 | | 60,278 |
| | | WORLDWIDE | | | | |
| FH Ops Navy | ZU | UNSPECIFIED | MISCELLANEOUS ACCOUNT | 457 | | 457 |
| | | WORLDWIDE | | | | |
| FH Ops Navy | ZU | UNSPECIFIED | SERVICES ACCOUNT | 16,462 | | 16,462 |
| | | WORLDWIDE | | | | |
| FH Ops Navy | ZU | UNSPECIFIED | LEASING | 101,432 | | 101,432 |
| | | WORLDWIDE | | | | |
| FH Ops Navy | ZU | UNSPECIFIED | MAINTENANCE OF REAL PROP- ERTY. | 94,184 | | 94,184 |
| | | WORLDWIDE | | | | |
| FH Ops Navy | ZU | UNSPECIFIED | PRIVATIZATION SUPPORT COSTS | 27,147 | | 27,147 |
| | | WORLDWIDE | | | | |
| FHIF | ZU | UNSPECIFIED | FAMILY HOUSING IMPROVEMENT FUND. | 2,600 | | 2,600 |
| | | WORLDWIDE | | | | |
| HOAP | ZU | UNSPECIFIED | HOMEOWNERS ASSISTANCE PRO- GRAM. | 23,225 | 350,000 | 373,225 |
| | | WORLDWIDE | | | | |
| Naval Res | ZU | UNSPECIFIED | PLANNING AND DESIGN | 2,371 | | 2,371 |
| | | WORLDWIDE | | | | |
| Navy | ZU | UNSPECIFIED | UNSPECIFIED MINOR CONSTR | 12,483 | | 12,483 |
| | | WORLDWIDE | | | | |
| Navy | ZU | UNSPECIFIED | PLANNING AND DESIGN | 166,896 | | 166,896 |
| | | WORLDWIDE | | | | |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| <i>Account</i> | <i>State/ Country</i> | <i>Installation</i> | <i>Project Title</i> | <i>Budget Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|------------------------------------|---------------------------|--------------------------|--------------------------------------|---------------------------|--------------------------|------------------------------|
| USAR | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUC- TION. | 3,600 | | 3,600 |
| USAR | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 22,262 | | 22,262 |
| AF Reserve | ZU | VARIOUS WORLDWIDE | MINOR CONSTRUCTION | 800 | | 800 |
| Def-Wide | ZU | VARIOUS WORLDWIDE | PLANNING AND DESIGN | 72,974 | | 72,974 |
| Def-Wide | ZU | VARIOUS WORLDWIDE | UNSPECIFIED MINOR CONST | 6,022 | | 6,022 |
| Def-Wide | ZU | VARIOUS WORLDWIDE | PLANNING AND DESIGN | 4,425 | | 4,425 |
| Def-Wide | ZU | VARIOUS WORLDWIDE | PLANNING AND DESIGN | 8,855 | | 8,855 |
| Def-Wide | ZU | VARIOUS WORLDWIDE | UNSPECIFIED MINOR CONSTRUC- TION. | 4,100 | | 4,100 |
| TOTAL FY2010 AUTHORIZATIONS | | | | 22,946,036 | -22,843 | 22,923,193 |
| Prior Year Savings | | | | | -112,500 | |
| GRAND TOTAL | | | | 22,946,036 | -135,343 | 22,810,693 |

SEC. 4502. 2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING.

2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING
(In Thousands of Dollars)

| <i>Account</i> | <i>Commission Recom- mendation</i> | <i>Location</i> | <i>State</i> | <i>Project Title</i> | <i>Project Authorization</i> | <i>Authorization of Appropriation</i> |
|-----------------|--------------------------------------------|----------------------------|--------------|--------------------------------------------------------------------|----------------------------------|-------------------------------------------|
| Army | 11 | Anniston (Pelham Range) | AL | Armed Forces Reserve Center | 8,000 | 8,000 |
| Army | 11 | Birmingham | AL | Armed Forces Reserve Center | 10,000 | 10,000 |
| Army | 11 | Mobile | AL | Armed Forces Reserve Center | 20,430 | 20,430 |
| Defense Wide | 134 | Redstone Arsenal | AL | Von Braun Complex | | 27,800 |
| Army | 11 | Tuscaloosa | AL | Armed Forces Reserve Center | 18,000 | 18,000 |
| Army | 13 | Camden | AR | Armed Forces Reserve Center | 9,800 | 9,800 |
| Army | 13 | El Dorado | AR | Armed Forces Reserve Center | 14,000 | 14,000 |
| Army | 13 | Hot Springs | AR | Armed Forces Reserve Center | 14,600 | 14,600 |
| Army | 13 | Pine Bluff | AR | Armed Forces Reserve Center | 15,500 | 15,500 |
| Army | 12 | Marana | AZ | Armed Forces Reserve Center | 31,000 | 31,000 |
| Navy | 57 | Barstow | CA | Industrial Machine Shop Fa- cility. | 14,131 | 14,130 |
| Navy | 184 | China Lake | CA | Shipboard Shock Test Facil- ity. | 3,160 | 3,160 |
| Navy | 184 | China Lake | CA | Weapons Dynamics RDT&E Center. | 5,970 | 5,970 |
| Army | 15 | Middletown | CT | Armed Forces Reserve Cen- ter, Incr 2. | 37,000 | 37,000 |
| Navy | 149 | Washington | DC | Navy Systems Management Activity Relocation (INCR II of II). | 71,929 | 71,929 |
| Navy | 149 | Washington | DC | Renovate 3rd Floor Building 176, Washington Navy Yard. | 750 | 750 |
| Army | 04 | Eglin AFB | FL | Special Forces Complex, Incr 2. | 8,000 | 8,000 |
| Air Force | 125 | Eglin AFB | FL | BRAC F-35 Live Ordnance Load Area (LOLA). | 6,624 | 6,624 |
| Air Force | 4B, 125 | Eglin AFB | FL | CE Facility | 2,000 | 2,000 |
| Air Force | 125 | Eglin AFB | FL | F-35 (JSF) Duke Field Con- trol Tower. | 2,280 | 2,280 |

2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING
(In Thousands of Dollars)

| <i>Account</i> | <i>Commission Recom- mendation</i> | <i>Location</i> | <i>State</i> | <i>Project Title</i> | <i>Project Authorization</i> | <i>Authorization of Appropriation</i> |
|-------------------------|--------------------------------------------|-----------------------------|--------------|-----------------------------------------------------------|----------------------------------|-------------------------------------------|
| <i>Air Force</i> | <i>4B, 125</i> | <i>Eglin AFB</i> | <i>FL</i> | <i>Fitness Facility</i> | <i>2,750</i> | <i>2,750</i> |
| <i>Air Force</i> | <i>125</i> | <i>Eglin AFB</i> | <i>FL</i> | <i>STOVL Simulated Carrier Practice Landing Deck.</i> | <i>27,690</i> | <i>27,690</i> |
| <i>Air Force</i> | <i>125</i> | <i>Eglin AFB</i> | <i>FL</i> | <i>School Age Facility</i> | <i>2,600</i> | <i>2,600</i> |
| <i>Air Force</i> | <i>125</i> | <i>Eglin AFB</i> | <i>FL</i> | <i>Security Forces Facility</i> | <i>890</i> | <i>890</i> |
| <i>Air Force</i> | <i>125</i> | <i>Eglin AFB</i> | <i>FL</i> | <i>Taxiway Extension</i> | <i>13,000</i> | <i>13,000</i> |
| <i>Air Force</i> | <i>125</i> | <i>Eglin AFB</i> | <i>FL</i> | <i>Traffic Management Cargo Processing Facility.</i> | <i>900</i> | <i>900</i> |
| <i>Army</i> | <i>9</i> | <i>Benning</i> | <i>GA</i> | <i>AAFES Troop Store</i> | <i>1,950</i> | <i>1,950</i> |
| <i>Army</i> | <i>17</i> | <i>Benning</i> | <i>GA</i> | <i>Armed Forces Reserve Center</i> | <i>18,000</i> | <i>18,000</i> |
| <i>Army</i> | <i>2</i> | <i>Benning</i> | <i>GA</i> | <i>Equipment Concentration Site.</i> | <i>43,000</i> | <i>43,000</i> |
| <i>Army</i> | <i>9</i> | <i>Benning</i> | <i>GA</i> | <i>General Instruction Complex 2, Incr 2.</i> | <i>58,000</i> | <i>58,000</i> |
| <i>Army</i> | <i>9</i> | <i>Benning</i> | <i>GA</i> | <i>Maneuver Ctr HQ & CDI Bldg Expansion.</i> | <i>42,000</i> | <i>42,000</i> |
| <i>Army</i> | <i>9</i> | <i>Benning</i> | <i>GA</i> | <i>Medical Facility, Incr 2</i> | <i>77,000</i> | <i>77,000</i> |
| <i>Army</i> | <i>21</i> | <i>Cedar Rapids</i> | <i>IA</i> | <i>Armed Forces Reserve Center</i> | <i>42,000</i> | <i>42,000</i> |
| <i>Army</i> | <i>21</i> | <i>Iowa AAP</i> | <i>IA</i> | <i>Armed Forces Reserve Center</i> | <i>27,000</i> | <i>27,000</i> |
| <i>Army</i> | <i>21</i> | <i>Muscatine</i> | <i>IA</i> | <i>Armed Forces Reserve Center</i> | <i>8,800</i> | <i>8,800</i> |
| <i>Army</i> | <i>2</i> | <i>Rock Island</i> | <i>IL</i> | <i>Army Headquarters Building Renovation.</i> | <i>20,000</i> | <i>20,000</i> |
| <i>Army</i> | <i>43</i> | <i>Campbell</i> | <i>KY</i> | <i>Armed Forces Reserve Center</i> | <i>5,900</i> | <i>5,900</i> |
| <i>Army</i> | <i>2</i> | <i>Campbell</i> | <i>KY</i> | <i>Headquarters Building, Group.</i> | <i>14,800</i> | <i>14,800</i> |
| <i>Army</i> | <i>55</i> | <i>Knox</i> | <i>KY</i> | <i>Armed Forces Reserve Center</i> | <i>2,300</i> | <i>2,300</i> |
| <i>Army</i> | <i>5</i> | <i>Aberdeen PG</i> | <i>MD</i> | <i>C4ISR, Phase 2, Incr 2</i> | <i>156,000</i> | <i>156,000</i> |
| <i>Defense Wide</i> | <i>169</i> | <i>Bethesda (WRNMMC)</i> | <i>MD</i> | <i>Medical Center Addition— Increment 3.</i> | <i>108,850</i> | <i>108,850</i> |
| <i>Defense Wide</i> | <i>169</i> | <i>Bethesda (WRNMMC)</i> | <i>MD</i> | <i>Traffic Mitigation Increment 1.</i> | <i>18,400</i> | <i>18,400</i> |
| <i>Defense Wide</i> | <i>169</i> | <i>Bethesda (WRNMMC)</i> | <i>MD</i> | <i>Site Utility Infrastructure Upgrade for NICOE.</i> | | <i>6,500</i> |
| <i>Army</i> | <i>174</i> | <i>Detrick</i> | <i>MD</i> | <i>Joint Bio-Med RDA Manage- ment Center.</i> | <i>8,300</i> | <i>8,300</i> |
| <i>Army</i> | <i>169</i> | <i>Forest Glenn</i> | <i>MD</i> | <i>Museum</i> | <i>12,200</i> | <i>12,200</i> |
| <i>Defense Wide</i> | <i>140</i> | <i>Fort Meade</i> | <i>MD</i> | <i>Construct DISA Building</i> | <i>131,662</i> | <i>131,662</i> |
| <i>Army</i> | <i>141</i> | <i>Fort Meade</i> | <i>MD</i> | <i>Defense Media Activity, Incr 2.</i> | <i>17,000</i> | <i>17,000</i> |
| <i>Navy</i> | <i>65</i> | <i>Brunswick</i> | <i>ME</i> | <i>Marine Corps Reserve Center</i> | <i>12,960</i> | <i>12,960</i> |
| <i>Army</i> | <i>176</i> | <i>Detroit Arsenal</i> | <i>MI</i> | <i>Administrative Office Build- ings, Incr 2.</i> | | <i>21,384</i> |
| <i>Army</i> | <i>176</i> | <i>Detroit Arsenal</i> | <i>MI</i> | <i>Weapons Systems Support and Training.</i> | <i>8,300</i> | <i>8,300</i> |
| <i>Army</i> | <i>26</i> | <i>Ft. Custer (Augusta)</i> | <i>MI</i> | <i>Armed Forces Reserve Center</i> | <i>18,500</i> | <i>18,500</i> |
| <i>Air Force</i> | <i>95</i> | <i>Selfridge ANGB</i> | <i>MI</i> | <i>A10 Arm/Disarm Apron</i> | <i>1,350</i> | <i>1,350</i> |
| <i>Air Force</i> | <i>95</i> | <i>Selfridge ANGB</i> | <i>MI</i> | <i>Repair Munitions Admin Building 891.</i> | <i>3,100</i> | <i>3,100</i> |
| <i>Air Force</i> | <i>95</i> | <i>Selfridge ANGB</i> | <i>MI</i> | <i>Upgrade Munitions Mainte- nance Shop.</i> | <i>1,650</i> | <i>1,650</i> |
| <i>Air Force</i> | <i>95</i> | <i>Selfridge ANGB</i> | <i>MI</i> | <i>Upgrade Munitions Missile Maintenance Bays.</i> | <i>2,350</i> | <i>2,350</i> |
| <i>Army</i> | <i>28</i> | <i>Kirksville</i> | <i>MO</i> | <i>Armed Forces Reserve Center</i> | <i>6,600</i> | <i>6,600</i> |
| <i>Army</i> | <i>29</i> | <i>Great Falls</i> | <i>MT</i> | <i>Armed Forces Reserve Center</i> | <i>7,600</i> | <i>7,600</i> |
| <i>Army</i> | <i>3</i> | <i>Bragg</i> | <i>NC</i> | <i>Band Training Facility</i> | <i>4,200</i> | <i>4,200</i> |
| <i>Army</i> | <i>3</i> | <i>Bragg</i> | <i>NC</i> | <i>Headquarters Bldg, FORSCOM/USARC, Incr 3.</i> | <i>124,000</i> | <i>124,000</i> |
| <i>Army</i> | <i>35</i> | <i>Wilmington</i> | <i>NC</i> | <i>Armed Forces Reserve Center</i> | <i>17,500</i> | <i>17,500</i> |
| <i>Army</i> | <i>36</i> | <i>Fargo</i> | <i>ND</i> | <i>Armed Forces Reserve Center</i> | <i>11,200</i> | <i>11,200</i> |
| <i>Army</i> | <i>30</i> | <i>Columbus</i> | <i>NE</i> | <i>Armed Forces Reserve Center</i> | <i>9,300</i> | <i>9,300</i> |
| <i>Army</i> | <i>30</i> | <i>McCook</i> | <i>NE</i> | <i>Armed Forces Reserve Center</i> | <i>7,900</i> | <i>7,900</i> |
| <i>Army</i> | <i>32</i> | <i>Camden</i> | <i>NJ</i> | <i>Armed Forces Reserve Center</i> | <i>21,000</i> | <i>21,000</i> |
| <i>Army</i> | <i>05</i> | <i>West Point</i> | <i>NY</i> | <i>US Military Academy Prep School, Incr 2.</i> | | <i>98,000</i> |

2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING
(In Thousands of Dollars)

| <i>Account</i> | <i>Commission Recom- mendation</i> | <i>Location</i> | <i>State</i> | <i>Project Title</i> | <i>Project Authorization</i> | <i>Authorization of Appropriation</i> |
|-------------------------|--------------------------------------------|------------------------------|--------------|------------------------------------------------------------------|----------------------------------|-------------------------------------------|
| <i>Army</i> | 37 | <i>Columbus</i> | <i>OH</i> | <i>Armed Forces Reserve Cen- ter, Incr 2.</i> | | 30,218 |
| <i>Navy</i> | 73 | <i>Akron</i> | <i>OH</i> | <i>Armed Forces Reserve Center</i> | 13,840 | 13,840 |
| <i>Army</i> | 126 | <i>Sill</i> | <i>OK</i> | <i>Joint Fires & Effects Simu- lator Building.</i> | 28,000 | 28,000 |
| <i>Air Force</i> | 92 | <i>Will Rogers World APT</i> | <i>OK</i> | <i>Relocate Global Air Traffic Operation Program Office.</i> | 1,200 | 1,200 |
| <i>Army</i> | 40 | <i>Allentown</i> | <i>PA</i> | <i>Armed Forces Reserve Center</i> | 15,000 | 15,000 |
| <i>Army</i> | 150 | <i>Tobyhanna</i> | <i>PA</i> | <i>Electronics Maintenance Shop, Depot Level.</i> | 3,200 | 3,200 |
| <i>Air Force</i> | 68 | <i>Willow Grove ARS</i> | <i>PA</i> | <i>Establish Enclave</i> | 4,000 | 4,000 |
| <i>Army</i> | 42 | <i>Bristol</i> | <i>RI</i> | <i>Armed Forces Reserve Center</i> | 17,500 | 17,500 |
| <i>Navy</i> | 181 | <i>Charleston</i> | <i>SC</i> | <i>SPAWAR Data Center</i> | 9,670 | 9,670 |
| <i>Navy</i> | 138 | <i>Goose Creek</i> | <i>SC</i> | <i>Consolidated Brig Addition ..</i> | 9,790 | 9,790 |
| <i>Army</i> | 3 | <i>Shaw AFB</i> | <i>SC</i> | <i>Headquarters Building, Third US Army, Incr 2.</i> | 55,000 | 55,000 |
| <i>Army</i> | 43 | <i>Chattanooga</i> | <i>TN</i> | <i>Armed Forces Reserve Center</i> | 8,900 | 8,900 |
| <i>Army</i> | 10 | <i>Bliss</i> | <i>TX</i> | <i>Brigade Combat Team Com- plex #3, Incr 3.</i> | 110,000 | 110,000 |
| <i>Army</i> | 10 | <i>Bliss</i> | <i>TX</i> | <i>Combat Aviation Brigade Complex, Incr 3.</i> | 94,000 | 94,000 |
| <i>Army</i> | 10 | <i>Bliss</i> | <i>TX</i> | <i>Hospital Add/Alt, WBAMC ..</i> | 24,000 | 24,000 |
| <i>Army</i> | 10 | <i>Bliss</i> | <i>TX</i> | <i>Hospital Replacement</i> | 89,000 | 89,000 |
| <i>Army</i> | 10 | <i>Bliss</i> | <i>TX</i> | <i>Tactical Equipment Mainte- nance Facility 2.</i> | 104,000 | 104,000 |
| <i>Army</i> | 44 | <i>Brownsville</i> | <i>TX</i> | <i>Armed Forces Reserve Center</i> | 15,000 | 15,000 |
| <i>Army</i> | 44 | <i>Huntsville</i> | <i>TX</i> | <i>Armed Forces Reserve Center</i> | 16,000 | 16,000 |
| <i>Army</i> | 44 | <i>Kingsville</i> | <i>TX</i> | <i>Armed Forces Reserve Center</i> | 17,500 | 17,500 |
| <i>Air Force</i> | 146 | <i>Lackland AFB</i> | <i>TX</i> | <i>Joint Base San Antonio Headquarters Facility.</i> | 8,500 | 8,500 |
| <i>Army</i> | 44 | <i>Lufkin</i> | <i>TX</i> | <i>Armed Forces Reserve Center</i> | 15,500 | 15,500 |
| <i>Air Force</i> | 128 | <i>Randolph AFB</i> | <i>TX</i> | <i>Renovate Building 38</i> | 2,050 | 2,050 |
| <i>Army</i> | 44 | <i>Red River</i> | <i>TX</i> | <i>Armed Forces Reserve Center</i> | 14,200 | 14,200 |
| <i>Defense Wide</i> | 172 | <i>Fort Sam Houston</i> | <i>TX</i> | <i>San Antonio Military Med- ical Center (North) Incr 3.</i> | | 163,750 |
| <i>Army</i> | 148 | <i>Sam Houston</i> | <i>TX</i> | <i>Add/Alt Building 2270</i> | 18,000 | 18,000 |
| <i>Army</i> | 148 | <i>Sam Houston</i> | <i>TX</i> | <i>Housing, Enlisted Permanent Party.</i> | 10,800 | 10,800 |
| <i>Army</i> | 148 | <i>Sam Houston</i> | <i>TX</i> | <i>IMCOM Campus Area Infra- structure.</i> | 11,000 | 11,000 |
| <i>Army</i> | 148 | <i>Sam Houston</i> | <i>TX</i> | <i>Headquarters Bldg, IMCOM</i> | 48,000 | 48,000 |
| <i>Army</i> | 132 | <i>Belvoir</i> | <i>VA</i> | <i>Infrastructure Support, Incr 3.</i> | 13,000 | 13,000 |
| <i>Army</i> | 168 | <i>Belvoir</i> | <i>VA</i> | <i>Infrastructure Support, Incr 3.</i> | 39,400 | 39,400 |
| <i>Army</i> | 169 | <i>Belvoir</i> | <i>VA</i> | <i>NARMC HQ Building</i> | 17,500 | 17,500 |
| <i>Defense Wide</i> | 168 | <i>Fort Belvoir</i> | <i>VA</i> | <i>NGA Headquarters Facility ..</i> | | 168,749 |
| <i>Defense Wide</i> | 169 | <i>Fort Belvoir</i> | <i>VA</i> | <i>Hospital Replacement—In- crement 4.</i> | 140,750 | 140,750 |
| <i>Defense Wide</i> | 169 | <i>Fort Belvoir</i> | <i>VA</i> | <i>Dental Clinic</i> | 12,600 | 12,600 |
| <i>Defense Wide</i> | 133 | <i>Fort Belvoir</i> | <i>VA</i> | <i>Office Complex Increment 3 ..</i> | | 360,533 |
| <i>Army</i> | 8 | <i>Eustis</i> | <i>VA</i> | <i>Bldg 705 Renv (AAA & 902d MI).</i> | 1,600 | 1,600 |
| <i>Army</i> | 8 | <i>Eustis</i> | <i>VA</i> | <i>Headquarters Bldg, IMCOM Eastern Region.</i> | 5,700 | 5,700 |
| <i>Army</i> | 8 | <i>Eustis</i> | <i>VA</i> | <i>Headquarters Building, TRADOC, Incr 2.</i> | 34,300 | 34,300 |
| <i>Army</i> | 8 | <i>Eustis</i> | <i>VA</i> | <i>Joint Task Force—Civil Sup- port.</i> | 19,000 | 19,000 |
| <i>Army</i> | 3 | <i>Eustis</i> | <i>VA</i> | <i>Renovation for ACA and NETCOM.</i> | 4,800 | 4,800 |
| <i>Army</i> | 121 | <i>Lee</i> | <i>VA</i> | <i>AAFES Troop Store</i> | 1,850 | 1,850 |

2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING
(In Thousands of Dollars)

| <i>Account</i> | <i>Commission Recom- mendation</i> | <i>Location</i> | <i>State</i> | <i>Project Title</i> | <i>Project Authorization</i> | <i>Authorization of Appropriation</i> |
|----------------|--------------------------------------------|-----------------|--------------|-------------------------------------------------------|----------------------------------|-------------------------------------------|
| Army | 133 | Lee | VA | Administrative Building (DCMA). | 28,000 | 28,000 |
| Army | 121 | Lee | VA | Combat Service Support School, Ph 1, Incr 4. | | 30,000 |
| Army | 121 | Lee | VA | Combat Service Support School, Ph 2, Incr 3. | 137,000 | 137,000 |
| Army | 121 | Lee | VA | Combat Service Support School, Ph 3, Incr 2. | 145,000 | 145,000 |
| Army | 121 | Lee | VA | Consolidated Troop Med/Dntl Clinic. | 20,000 | 20,000 |
| Army | 122 | Lee | VA | HQs, Transportation Management Detachment. | 1,200 | 1,200 |
| Army | 121 | Lee | VA | USMC Training Facilities | 25,000 | 25,000 |
| Navy | 149 | Arlington | VA | Crystal Park 5 to Arlington Service Center. | 33,660 | 33,660 |
| Navy | 138 | Chesapeake | VA | Joint Regional Correctional Facility (INCR II of II). | | 47,560 |
| Navy | 181 | Norfolk | VA | Building 1558 Renovations for SPAWAR. | 2,510 | 2,510 |
| Army | 47 | Elkins | WV | Armed Forces Reserve Center | 22,000 | 22,000 |
| Army | 47 | Fairmont | WV | Armed Forces Reserve Center | 21,000 | 21,000 |
| Army | 47 | Spencer-Ripley | WV | Armed Forces Reserve Center | 19,540 | 19,540 |
| Army | PM | Various | WW | Planning and Design | 26,100 | 26,100 |
| Army | | Various | Various | Environmental | 147,693 | 147,693 |
| Navy | | Various | Various | Environmental | 16,529 | 16,529 |
| Air Force | | Various | Various | Environmental | 19,454 | 19,454 |
| Army | | Various | Various | Operation and Maintenance | 1,169,334 | 1,169,334 |
| Navy | | Various | Various | Operation and Maintenance | 322,495 | 322,495 |
| Air Force | | Various | Various | Operation and Maintenance | 288,459 | 288,459 |
| Defense Wide | | Various | Various | Operation and Maintenance | 836,715 | 836,715 |
| Navy | | Various | Various | MilPers PCS | 6,504 | 6,504 |
| Air Force | | Various | Various | MilPers PCS | 3,970 | 3,970 |
| Army | | Various | Various | Other | 311,138 | 311,138 |
| Navy | | Various | Various | Other | 20,115 | 20,115 |
| Air Force | | Various | Various | Other | 23,443 | 23,443 |
| Defense Wide | | Various | Various | Other | 412,320 | 412,320 |
| | | | | Subtotal BRAC 2005 FY 2010, Army. | | 4,081,037 |
| | | | | Subtotal BRAC 2005 FY 2010, Navy. | | 591,572 |
| | | | | Subtotal BRAC 2005 FY 2010, Air Force. | | 418,260 |
| | | | | Subtotal BRAC 2005 FY 2010, Defense Wide. | | 2,388,629 |
| | | | | Total BRAC 2005 FY 2010 All Categories. | 5,934,740 | 7,479,498 |
| Army | | Various | Various | Base Realignment and Closure IV, Army. | | 98,723 |
| Navy | | Various | Various | Base Realignment and Closure IV, Navy. | | 168,000 |
| Air Force | | Various | Various | Base Realignment and Closure IV, Air Force. | | 127,364 |
| Defense Wide | | Various | Various | Base Realignment and Closure IV, Defense Wide. | | 2,681 |
| | | | | Total BRAC IV for FY 2010 | | 396,768 |

AMERICAN RECOVERY AND REINVESTMENT ACT MILITARY CONSTRUCTION
(In Thousands of Dollars)

| <i>State</i> | <i>Account</i> | <i>Installation</i> | <i>Project Title</i> | <i>Senate Authorized</i> |
|--------------|----------------|----------------------------------------|-----------------------------------------------------------------------|------------------------------|
| AK | Air Force | Eielson AFB | Replace Military Family Housing—Phase 4 (Current Mission) (76 units). | 53,900 |
| AL | Air Force | Birmingham | Mobility Processing | 2,300 |
| AR | Air Force | Fort Smith | Replace Civil Engineering Complex | 7,800 |
| CA | Defense Wide | Camp Pendleton | Hospital Replacement | 563,100 |
| CA | ARNG | Fort Hunter-Liggett | Family Housing New Construction (1 Unit) | 620 |
| CA | ARNG | Fort Hunter-Liggett | Family Housing Replacement Construction (4 units) ... | 1,750 |
| CA | Navy | Marine Corps Base Camp Pendleton | Child Development Center | 15,420 |
| CA | Navy | Marine Corps Base Camp Pendleton | Photovoltaic System | 10,731 |
| CA | Navy | Marine Corps Base Camp Pendleton | Repair Bachelor Enlisted Quarters | 8,901 |
| CA | ARNG | Mather Air Field | Resurface Airfield Pavement | 1,500 |
| CA | Navy | Naval Air Station Lemoore | Expand Child Development Center | 7,793 |
| CA | Navy | Naval Base Coronado | Child Care Center 24/7 | 2,301 |
| CA | Navy | Naval Base Coronado | Bachelor Enlisted Quarters | 86,275 |
| CA | Navy | Naval Base Point Loma | Child Development Center | 11,844 |
| CA | ARNG | Sierra AD | Family Housing Replacement Construction (1 unit) | 707 |
| CO | Army | Fort Carson | Child Development Center | 12,500 |
| CO | Air Force | Peterson AFB | Construct Child Development Center | 11,200 |
| FL | Air Force | Hurlburt Field | Child Development Center | 11,000 |
| FL | Defense Wide | Naval Airt Station Jacksonville | Hospital Alteration | 27,210 |
| FL | Navy | Naval Station Mayport | Child Development Center | 10,220 |
| GA | Army | Fort Stewart (Hunter AAF) | Child Youth Services Center | 8,600 |
| GA | Air Force | Moody AFB | Child Development Center | 11,400 |
| HI | Navy | Marine Corps Base Hawaii | Child Development Center | 19,360 |
| IA | Air Force | Des Moines | Replace Communication Facility | 6,000 |
| IL | ARNG | Rock Island | Family Housing New Construction (2 Units) | 930 |
| KS | Air Force | Forbes | Add/Alter Fire Station | 4,100 |
| KY | Army | Fort Campbell | Warrior in Transition (WT) Complex | 43,000 |
| MD | Air Force | Andrews AFB | ANGRC Operations Center | 8,000 |
| MD | Navy | Naval Support Activity Annapolis | Replace Steam Generation Plant | 1,994 |
| MD | Navy | Naval Surface Warfare Center Carderock | Replace Underground Steam Lines | 1,253 |
| MS | Air Force | Keesler AFB | Dormitory (144 Rm) | 20,800 |
| MT | Air Force | Malmstrom AFB | Repair Structural Foundations In Minuteman Village (179 units). | 26,200 |
| NC | Army | Fort Bragg | Child Development Center | 11,300 |
| NC | Navy | Marine Corps Air Station New River | Repair Bachelor Enlisted Quarters | 3,039 |
| NC | Navy | Marine Corps Base Camp Lejeune | Facility and Photovoltaic Energy Upgrades | 13,779 |
| NC | ARNG | Raleigh | AFRC Raleigh (JFHQ-NC) | 39,500 |
| ND | Air Force | Minot AFB | Dormitory (168 Rm) | 28,300 |
| NE | ARNG | Camp Ashland | Dining Facility Add/Alt | 2,900 |
| NJ | Air Force | Atlantic City | Construct N&S Arm/Disarm Aprons | 4,300 |
| NM | Air Force | Cannon AFB | Child Development Center | 12,000 |
| NV | ARNG | Hawthorne AD | Family Housing Improvement (new water main) | 950 |
| NV | Air Force | Nellis AFB | Child Development Center | 13,400 |
| NY | ARNG | Brooklyn (Ft. Hamilton) | Ready Building (WMD CST) | 1,500 |
| NY | Army | Fort Drum | Child Development Center | 10,700 |
| OK | ARNG | McAlester AD | Family Housing Replacement Construction (6 units) ... | 2,200 |
| OR | ARNG | Camp Withycombe | Storm Sewer | 1,300 |
| PA | Air Force | Fort Indian Town Gap | Replace Troop Training Qtrs | 7,000 |
| PA | ARNG | Letterkenny AD | Family Housing New Construction (3 units) | 1,050 |
| PA | ARNG | Tobyhanna | Family Housing Replacement Construction (2 units) ... | 1,000 |
| SC | Air Force | Shaw AFB | Dormitory (144 Rm) | 22,500 |
| TN | Navy | Naval Support Activity Mid-South | Child Development Center | 11,960 |
| TX | Army | Fort Bliss | Warrior in Transition (WT) Complex | 57,000 |
| TX | Army | Fort Hood | Child Development Center | 12,700 |
| TX | Defense Wide | Fort Hood | Hospital Replacement Phase 1 | 621,000 |
| TX | Air Force | Goodfellow AFB | Student Dormitory (200 Rm) | 28,400 |

AMERICAN RECOVERY AND REINVESTMENT ACT MILITARY CONSTRUCTION
(In Thousands of Dollars)

| <i>State</i> | <i>Account</i> | <i>Installation</i> | <i>Project Title</i> | <i>Senate Authorized</i> |
|--------------|----------------|----------------------------------------|-------------------------------------------------------|--------------------------|
| TX | Air Force | Lackland AFB | Add/Alter Child Development Center | 6,000 |
| UT | ARNG | Dugway Proving Grounds | Family Housing Replacement Construction (20 units) | 10,000 |
| UT | Air Force | Hill AFB | Child Development Center | 15,000 |
| UT | Air Force | Salt Lake City | Fire Station, Phase 2 | 5,100 |
| VA | Army | Fort Belvoir | Child Development Center | 14,600 |
| VA | Army | Fort Eustis | Child Development Center | 9,600 |
| VA | Navy | Hampton Roads | Install Photovoltaic Systems | 26,098 |
| VA | Navy | Naval Station Norfolk | Repair Steam Lines | 1,054 |
| VA | Navy | Naval Station Norfolk | Steam Plant Area Decentralization | 23,593 |
| VA | ARNG | Radford AAP | Family Housing Replacement Construction (4 units) ... | 1,300 |
| WA | Navy | Naval Air Station Whidbey Island | Replace Water Distribution System | 20,054 |
| WI | ARNG | Fort McCoy | Family Housing New Construction (23 units) | 14,000 |
| WI | Air Force | General Mitchell | Security Forces CATM/CATS | 1,100 |
| WV | Air Force | Eastern West Virginia Regional Airport | C-5 Avionics Shop | 4,300 |
| WV | ARNG | Gassaway | Readiness Center Add/Alt | 3,300 |
| | Defense Wide | Various Locations | Planning and Design (P&D) | 118,690 |
| | Navy | Various Locations | P&D—DoN Child Development Center Projects | 1,102 |
| | Navy | Various Locations | P&D—DoN Energy Projects | 1,444 |
| | Navy | Various Locations | P&D—DoN Bachelor Enlisted Quarter Projects | 1,785 |

SEC. 4504. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Service</i> | <i>Country</i> | <i>Location</i> | <i>Project</i> | <i>Authorization</i> | <i>Authorized for Appropriation</i> |
|----------------|----------------|-------------------|-----------------------------------------|----------------------|-------------------------------------|
| AF | AF | WOLVERINE | CARGO HANDLING AREA | 4,900 | 4,900 |
| ARMY | AF | WOLVERINE | DINING FACILITY | 2,200 | 2,200 |
| ARMY | AF | WOLVERINE | FUEL SYSTEM, PH 1 | 5,800 | 5,800 |
| ARMY | AF | WOLVERINE | WASTE MANAGEMENT COMPLEX | 6,900 | 6,900 |
| AF | AF | TOMBSTONE/BASTION | STRATEGIC AIRLIFT APRON EXPANSION. | 32,000 | 32,000 |
| AF | AF | TOMBSTONE/BASTION | CAS APRON EXPANSION | 40,000 | 40,000 |
| AF | AF | TOMBSTONE/BASTION | ISR APRON | 41,000 | 41,000 |
| AF | AF | TOMBSTONE/BASTION | SECURE RSOI FACILITY | 10,000 | 10,000 |
| AF | AF | TOMBSTONE/BASTION | CARGO HANDLING AREA | 18,000 | 18,000 |
| AF | AF | TOMBSTONE/BASTION | AVIATION OPERATIONS & MAINTENANCE FACs. | 8,900 | 8,900 |
| AF | AF | TOMBSTONE/BASTION | EXPEDITIONARY FIGHTER SHELTER | 6,300 | 6,300 |
| ARMY | AF | TOMBSTONE/BASTION | BASIC LOAD AMMUNITION HOLDING AREA. | 7,500 | 7,500 |
| ARMY | AF | TOMBSTONE/BASTION | DINING FACILITY | 8,900 | 8,900 |
| ARMY | AF | TOMBSTONE/BASTION | ENTRY CONTROL POINT AND ACCESS ROADS. | 14,200 | 14,200 |
| ARMY | AF | TOMBSTONE/BASTION | FUEL SYSTEM, PH 2 | 14,200 | 14,200 |
| ARMY | AF | TOMBSTONE/BASTION | ROADS | 4,300 | 4,300 |
| ARMY | AF | TOMBSTONE/BASTION | LEVEL 3 MEDICAL FACILITY | 16,500 | 16,500 |
| ARMY | AF | TOMBSTONE/BASTION | WATER SUPPLY AND DISTRIBUTION SYSTEM. | 6,200 | 6,200 |
| AF | AF | TARIN KOWT | CARGO HANDLING AREA | 4,900 | 4,900 |
| ARMY | AF | TARIN KOWT | DINING FACILITY | 4,350 | 4,350 |
| ARMY | AF | TARIN KOWT | FUEL SYSTEM PHASE 2 | 11,800 | 11,800 |
| ARMY | AF | TARIN KOWT | WASTE MANAGEMENT AREA | 6,800 | 6,800 |
| ARMY | AF | TARIN KOWT | AMMUNITION SUPPLY POINT | 35,000 | 35,000 |
| ARMY | AF | SHARANA | ROTARY WING PARKING | 32,000 | 32,000 |
| ARMY | AF | SHARANA | AMMUNITION SUPPLY POINT | 14,000 | 14,000 |
| ARMY | AF | SHARANA | AIRCRAFT MAINTENANCE FACILITIES. | 12,200 | 12,200 |

MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Service</i> | <i>Country</i> | <i>Location</i> | <i>Project</i> | <i>Authoriza- tion</i> | <i>Authorized for Appro- priation</i> |
|----------------|----------------|-----------------|-----------------------------------------------|----------------------------|-----------------------------------------------|
| ARMY | AF | SHARANA | ELECTRICAL DISTRIBUTION GRID | 2,600 | 2,600 |
| AF | AF | SHANK | CARGO HANDLING AREA | 4,900 | 4,900 |
| ARMY | AF | SHANK | DINING FACILITY | 4,350 | 4,350 |
| ARMY | AF | SHANK | ELECTRICAL DISTRIBUTION GRID | 4,600 | 4,600 |
| ARMY | AF | SHANK | WASTE MANAGEMENT COMPLEX | 8,100 | 8,100 |
| ARMY | AF | SHANK | WATER DISTRIBUTION SYSTEM | 2,650 | 2,650 |
| ARMY | AF | SHANK | TROOP HOUSING PHASE 2 | | |
| ARMY | AF | SALERNO | WASTE MANAGEMENT COMPLEX | 5,500 | 5,500 |
| ARMY | AF | SALERNO | ELECTRICAL DISTRIBUTION GRID | 2,600 | 2,600 |
| ARMY | AF | SALERNO | FUEL SYSTEM, PH 1 | 12,800 | 12,800 |
| ARMY | AF | SALERNO | DINING FACILITY | 4,300 | 4,300 |
| ARMY | AF | SALERNO | RUNWAY UPGRADE | 25,000 | 25,000 |
| ARMY | AF | METHAR-LAM | WASTE MANAGEMENT AREA | 4,150 | 4,150 |
| ARMY | AF | MAYWAND | DINING FACILITY | 6,600 | 6,600 |
| ARMY | AF | MAYWAND | WASTE MANAGEMENT AREA | 5,600 | 5,600 |
| AF | AF | KANDAHAR | SECURE RSOI FACILITY | 9,700 | 9,700 |
| AF | AF | KANDAHAR | TACTICAL AIRLIFT APRON | 29,000 | 29,000 |
| AF | AF | KANDAHAR | REFUELER APRON/RELOCATE HCP ... | 66,000 | 66,000 |
| AF | AF | KANDAHAR | CAS APRON EXPANSION | 25,000 | 25,000 |
| AF | AF | KANDAHAR | ISR APRON EXPANSION | 40,000 | 40,000 |
| AF | AF | KANDAHAR | AVIATION OPERATIONS & MAINTENANCE FACILITIES. | 10,500 | 10,500 |
| AF | AF | KANDAHAR | EXPEDITIONARY FIGHTER SHELTER | 6,400 | 6,400 |
| AF | AF | KANDAHAR | CARGO HELICOPTER APRON | 32,000 | 32,000 |
| AF | AF | KANDAHAR | RELOCATE NORTH AIRFIELD ROAD .. | 16,000 | 16,000 |
| ARMY | AF | KANDAHAR | TROOP HOUSING PHASE 2 | | |
| ARMY | AF | KANDAHAR | COMMAND AND CONTROL FACILITY | 4,500 | 4,500 |
| ARMY | AF | KANDAHAR | TANKER TRUCK OFFLOAD FACILITY | 23,000 | 23,000 |
| ARMY | AF | KANDAHAR | COMMAND AND CONTROL FACILITY | 4,500 | 4,500 |
| ARMY | AF | KANDAHAR | COMMAND AND CONTROL FACILITY | 4,500 | 4,500 |
| ARMY | AF | KANDAHAR | SOUTHPARK ROADS | 11,000 | 11,000 |
| ARMY | AF | KANDAHAR | WASTE MANAGEMENT COMPLEX | 10,000 | 10,000 |
| ARMY | AF | KANDAHAR | WAREHOUSE | 20,000 | 20,000 |
| ARMY | AF | KANDAHAR | THEATER VEHICLE MAINTENANCE FACILITY. | 55,000 | 55,000 |
| ARMY | AF | KABUL | USFOR-A HEADQUARTERS & HOUSING. | 98,000 | 98,000 |
| ARMY | AF | KABUL | CAMP PHOENIX WEST EXPANSION | 39,000 | 39,000 |
| ARMY | AF | JOYCE | DINING FACILITY | 2,100 | 2,100 |
| ARMY | AF | JOYCE | WASTE MANAGEMENT AREA | 5,600 | 5,600 |
| ARMY | AF | JALALABAD | DINING FACILITY | 4,350 | 4,350 |
| ARMY | AF | JALALABAD | AMMUNITION SUPPLY POINT | 35,000 | 35,000 |
| ARMY | AF | JALALABAD | CONTINGENCY HOUSING | | |
| ARMY | AF | JALALABAD | PERIMETER FENCING | 2,050 | 2,050 |
| ARMY | AF | GHAZNI | WASTE MANAGEMENT COMPLEX | 5,500 | 5,500 |
| ARMY | AF | GARDEZ | TACTICAL RUNWAY | 28,000 | 28,000 |
| ARMY | AF | GARDEZ | DINING FACILITY | 2,200 | 2,200 |
| ARMY | AF | GARDEZ | CONTINGENCY HOUSING | | |
| ARMY | AF | GARDEZ | FUEL SYSTEM, PH 1 | 6,000 | 6,000 |
| ARMY | AF | FRONTENAC | DINING FACILITY | 2,200 | 2,200 |
| ARMY | AF | FRONTENAC | CONTINGENCY HOUSING | | |
| AF | AF | DWYER | CONTINGENCY HOUSING PHASE 1 | | |
| AF | AF | DWYER | CONTINGENCY HOUSING PHASE 2 | | |
| AF | AF | DWYER | CARGO HANDLING AREA | 4,900 | 4,900 |
| ARMY | AF | DWYER | FUEL SYSTEM, PH 1 | 5,800 | 5,800 |
| ARMY | AF | DWYER | WASTE MANAGEMENT COMPLEX | 6,900 | 6,900 |
| ARMY | AF | DWYER | DINING FACILITY | 2,200 | 2,200 |
| ARMY | AF | BOSTICK | WASTE MANAGEMENT AREA | 5,500 | 5,500 |
| ARMY | AF | BLESSING | WASTE MANAGEMENT AREA | 5,600 | 5,600 |
| AF | AF | BAGRAM AIR BASE | CARGO TERMINAL | 13,800 | 13,800 |
| AF | AF | BAGRAM AIR BASE | AVIATION OPERATIONS & MAINTENANCE FACILITIES. | 8,900 | 8,900 |
| AF | AF | BAGRAM AIR BASE | EXPEDITIONARY FIGHTER SHELTER | 6,400 | 6,400 |
| ARMY | AF | BAGRAM AIR BASE | TROOP HOUSING PHASE 3 | | |
| ARMY | AF | BAGRAM AIR BASE | DRAINAGE SYSTEM, PH 2 | 21,000 | 21,000 |

MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| <i>Service</i> | <i>Country</i> | <i>Location</i> | <i>Project</i> | <i>Authoriza- tion</i> | <i>Authorized for Appro- priation</i> |
|------------------------------------------------|----------------|-----------------------|--------------------------------------------|----------------------------|-----------------------------------------------|
| ARMY | AF | BAGRAM AIR BASE | BARRACKS | 18,500 | 18,500 |
| ARMY | AF | BAGRAM AIR BASE | PERIMETER FENCE AND GUARD TOWERS. | 7,000 | 7,000 |
| ARMY | AF | BAGRAM AIR BASE | COMMAND AND CONTROL FACILITY | 38,000 | 38,000 |
| ARMY | AF | BAGRAM AIR BASE | ACCESS ROADS | 21,000 | 21,000 |
| ARMY | AF | BAGRAM AIR BASE | COMMAND AND CONTROL FACILITY | 4,500 | 4,500 |
| ARMY | AF | BAGRAM AIR BASE | MEDLOG WAREHOUSE | 3,350 | 3,350 |
| ARMY | AF | ASADABAD | WASTE MANAGEMENT AREA | 5,500 | 5,500 |
| ARMY | AF | ALTIMUR | DINING FACILITY | 2,150 | 2,150 |
| ARMY | AF | ALTIMUR | WASTE MANAGEMENT AREA | 5,600 | 5,600 |
| ARMY | AF | AIRBORNE | DINING FACILITY | 2,200 | 2,200 |
| ARMY | AF | AIRBORNE | WASTE MANAGEMENT AREA | 5,600 | 5,600 |
| ARMY | BE | MONS | NATO SOF OPERATIONAL SUPPORT, TRAINING. | 20,000 | 20,000 |
| AF | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | | 35,000 |
| ARMY | ZU | UNSPECIFIED WORLDWIDE | MINOR CONSTRUCTION | 20,000 | 20,000 |
| ARMY | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | | 75,884 |
| NSA | ZU | UNSPECIFIED WORLDWIDE | CLASSIFIED PROJECT | | |
| NSA | ZU | UNSPECIFIED WORLDWIDE | PLANNING & DESIGN | | |
| Grand Total Military Construction | | | | 1,294,100 | 1,404,984 |

TITLE XLVI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| <i>Program</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-----------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| Electricity Delivery & Energy Reliability | | | |
| Electricity Delivery & Energy Reliability | | | |
| Infrastructure security & energy restoration | 6,188 | -6,188 | |
| Weapons Activities | | | |
| Directed stockpile work | | | |
| Life extension programs | | | |
| W76 Life extension program | 209,196 | | 209,196 |
| Total, Life extension programs | 209,196 | | 209,196 |
| Stockpile systems | | | |
| B61 Stockpile systems | 124,456 | | 124,456 |
| W76 Stockpile systems | 65,497 | | 65,497 |
| W78 Stockpile systems | 50,741 | | 50,741 |
| W80 Stockpile systems | 19,064 | | 19,064 |
| B83 Stockpile systems | 35,682 | | 35,682 |
| W87 Stockpile systems | 51,817 | | 51,817 |
| W88 Stockpile systems | 43,043 | | 43,043 |
| Total, Stockpile systems | 390,300 | | 390,300 |
| Weapons dismantlement and disposition | | | |
| Operation and maintenance | 84,100 | 15,000 | 99,100 |
| Total, Weapons dismantlement and disposition | 84,100 | 15,000 | 99,100 |
| Stockpile services | | | |
| Production support | 301,484 | | 301,484 |

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| <i>Program</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|------------------------------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| Research and development support | 37,071 | | 37,071 |
| R&D certification and safety | 143,076 | 30,000 | 173,076 |
| Management, technology, and production | 200,223 | | 200,223 |
| Plutonium infrastructure sustainment | 149,201 | | 149,201 |
| Total, Stockpile services | 831,055 | 30,000 | 861,055 |
| Total, Directed stockpile work | 1,514,651 | 45,000 | 1,559,651 |
| Campaigns: | | | |
| Science campaign | | | |
| Advanced certification | 19,400 | 5,000 | 24,400 |
| Primary assessment technologies | 80,181 | | 80,181 |
| Dynamic materials properties | 86,617 | | 86,617 |
| Academic alliances | 30,251 | | 30,251 |
| Advanced radiography | 22,328 | | 22,328 |
| Secondary assessment technologies | 77,913 | | 77,913 |
| Total, Science campaign | 316,690 | 5,000 | 321,690 |
| Engineering campaign | | | |
| Enhanced surety | 42,000 | 5,000 | 47,000 |
| Weapon systems engineering assessment technology | 18,000 | | 18,000 |
| Nuclear survivability | 21,000 | | 21,000 |
| Enhanced surveillance | 69,000 | 10,000 | 79,000 |
| Total, Engineering campaign | 150,000 | 15,000 | 165,000 |
| Inertial confinement fusion ignition and high yield campaign | | | |
| Ignition | 106,734 | | 106,734 |
| NIF diagnostics, cryogenics and experimental support | 72,252 | | 72,252 |
| Pulsed power inertial confinement fusion | 5,000 | | 5,000 |
| Joint program in high energy density laboratory plasmas | 4,000 | | 4,000 |
| Facility operations and target production | 248,929 | 6,500 | 255,429 |
| Omega operations | | [6,500] | |
| Total, Inertial confinement fusion and high yield campaign | 436,915 | 6,500 | 443,415 |
| Advanced simulation and computing campaign | | | |
| Operation and maintenance | 556,125 | 9,000 | 565,125 |
| Readiness Campaign | | | |
| Stockpile readiness | 5,746 | | 5,746 |
| High explosives and weapon operations | 4,608 | | 4,608 |
| Nonnuclear readiness | 12,701 | | 12,701 |
| Tritium readiness | 68,246 | -20,000 | 48,246 |
| Advanced design and production technologies | 8,699 | | 8,699 |
| Total, Readiness campaign | 100,000 | -20,000 | 80,000 |
| Total, Campaigns | 1,559,730 | 15,500 | 1,575,230 |
| Readiness in technical base and facilities (RTBF) | | | |
| Operation of facilities | | | |
| Operation of facilities | 1,342,303 | | 1,342,303 |
| Total, Operation of facilities | 1,342,303 | | 1,342,303 |
| Program readiness | 73,021 | | 73,021 |
| Material recycle and recovery | 69,542 | | 69,542 |
| Containers | 23,392 | | 23,392 |
| Storage | 24,708 | | 24,708 |
| Subtotal, Readiness in technical base and facilities (RTBF) | 1,532,966 | | 1,532,966 |
| Construction: | | | |
| 10-D-501, Nuclear facilities risk reduction Y-12 National Security Complex, Oakridge, TN | 12,500 | | 12,500 |
| 99-D-141, Pit disassembly and conversion facility, Savannah River Site, Aiken, SC | 30,321 | | 30,321 |
| 09-D-007, LANSCE-Refurbishment, Los Alamos National Laboratory, NM | | 30,000 | 30,000 |
| 08-D-801, High pressure fire loop (HPFL), Pantex, TX | 31,910 | | 31,910 |
| 06-D-140, Project engineering design (PED), various locations | 70,678 | | 70,678 |

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| Program | FY 2010 Request | Senate Change | Senate Authorized |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| 06-D-402, NTS replace fire stations 1 & 2 Nevada Test Site, NV | 1,473 | | 1,473 |
| 04-D-125, Chemistry and metallurgy facility replacement, Los Alamos National Laboratory, Los Alamos, NM | 55,000 | -20,000 | 35,000 |
| 04-D-128, TA-18 Criticality experiments facility (CEF), Los Alamos National Laboratory, Nevada Test Site, NV | 1,500 | | 1,500 |
| Total, Construction | 203,382 | 10,000 | 213,382 |
| Total, Readiness in technical base and facilities | 1,736,348 | 10,000 | 1,746,348 |
| Secure transportation asset | | | |
| Operation and equipment | 138,772 | | 138,772 |
| Program direction | 96,143 | | 96,143 |
| Total, Secure transportation asset | 234,915 | | 234,915 |
| Nuclear counterterrorism incident response | 221,936 | 5,688 | 227,624 |
| National technical forensics | | [5,688] | |
| Facilities and infrastructure recapitalization program | | | |
| Operation and maintenance | 144,959 | | 144,959 |
| Construction: | | | |
| 07-D-253, TA 1 heating systems modernization (HSM) Sandia National Laboratory, NM | 9,963 | | 9,963 |
| Total, Construction | 9,963 | | 9,963 |
| Total, Facilities and infrastructure recapitalization program | 154,922 | | 154,922 |
| Site stewardship | | | |
| Environmental projects and operations | 41,288 | | 41,288 |
| Nuclear materials integration | 20,000 | | 20,000 |
| Stewardship planning | 29,086 | | 29,086 |
| Total, Site stewardship | 90,374 | | 90,374 |
| Safeguards and security | | | |
| Defense nuclear security | | | |
| Operation and maintenance | 700,044 | | 700,044 |
| Construction: | | | |
| 10-D-701, Security improvements project Y-12 National Security Complex, Oak Ridge, TN | 49,000 | | 49,000 |
| Total, Construction | 49,000 | | 49,000 |
| Total, Defense nuclear security | 749,044 | | 749,044 |
| Cyber security | 122,511 | | 122,511 |
| Total, Safeguards and security | 871,555 | | 871,555 |
| Support to intelligence | | 30,000 | 30,000 |
| Total, Weapons Activities | 6,384,431 | 106,188 | 6,490,619 |
| Defense Nuclear Nonproliferation | | | |
| Nonproliferation and verification research and development | | | |
| Operation and maintenance | 297,300 | 50,000 | 347,300 |
| Nonproliferation and international security | 207,202 | -14,000 | 193,202 |
| Nuclear noncompliance verification | | [-12,000] | |
| Global initiatives for proliferation prevention | | [-2,000] | |
| International nuclear materials protection and cooperation | 552,300 | | 552,300 |
| Elimination of weapons-grade plutonium production program | 24,507 | | 24,507 |
| Fissile materials disposition | | | |
| U.S. surplus fissile materials disposition | | | |
| Operation and maintenance | | | |
| U.S. plutonium disposition | 90,896 | | 90,896 |
| U.S. uranium disposition | 34,691 | -2,000 | 32,691 |

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| <i>Program</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-----------------------------------------------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| <i>Supporting activities</i> | <i>1,075</i> | | <i>1,075</i> |
| Total, Operation and maintenance | 126,662 | -2,000 | 124,662 |
| Construction: | | | |
| 99-D-143, Mixed oxide fuel fabrication facility, Savannah River Site, SC | 504,238 | | 504,238 |
| 99-D-141-02, Waste solidification building, Savannah River Site, SC | 70,000 | | 70,000 |
| Total, Construction | 574,238 | | 574,238 |
| Total, U.S. surplus fissile materials disposition | 700,900 | -2,000 | 698,900 |
| Russian surplus materials disposition | 1,000 | 6,000 | 7,000 |
| Total, Fissile materials disposition | 701,900 | 4,000 | 705,900 |
| Global threat reduction initiative | 353,500 | -40,000 | 313,500 |
| Gap nuclear material | | [-40,000] | |
| Subtotal, Defense Nuclear Nonproliferation | 2,136,709 | | 2,136,709 |
| Total, Defense Nuclear Nonproliferation | 2,136,709 | | 2,136,709 |
| Naval Reactors | | | |
| Naval reactors development | | | |
| Operation and maintenance | | | |
| Operation and maintenance | 935,533 | | 935,533 |
| Total, Operation and maintenance | 935,533 | | 935,533 |
| Construction: | | | |
| 10-D-903, KAPL Security upgrades, Schnectady, NY | 1,500 | | 1,500 |
| 10-D-904, NRF infrastructure upgrades, ID | 700 | | 700 |
| 09-D-190, PED, Infrastructure upgrades, KAPL, Schnectady, NY | 1,000 | | 1,000 |
| 09-D-902, NRF Production Support Complex, ID | 6,400 | | 6,400 |
| 08-D-190, NRF Project engineering and design Expended Core Facility M-290 receiving/discharge station, ID | 9,500 | | 9,500 |
| 07-D-190, Materials research and technology complex, BAPL, Pittsburgh, PA | 11,700 | | 11,700 |
| Total, Construction | 30,800 | | 30,800 |
| Total, Naval reactors development | 966,333 | | 966,333 |
| Program direction | 36,800 | | 36,800 |
| Total, Naval Reactors | 1,003,133 | | 1,003,133 |
| Office Of The Administrator | | | |
| Office of the administrator | 431,074 | | 431,074 |
| Use of prior year balances | -10,320 | | -10,320 |
| Total, Office Of The Administrator | 420,754 | | 420,754 |
| Defense Environmental Cleanup | | | |
| Closure sites: | | | |
| Closure sites administration | 8,225 | | 8,225 |
| Miamisburg | 33,243 | | 33,243 |
| Total, Closure sites | 41,468 | | 41,468 |
| Hanford site: | | | |
| 2012 accelerated completions | | | |
| Nuclear facility D&D river corridor closure project | 327,955 | | 327,955 |
| Nuclear material stabilization and disposition PFP | 118,087 | | 118,087 |
| SNF stabilization and disposition | 55,325 | | 55,325 |
| Total, 2012 accelerated completions | 501,367 | | 501,367 |
| 2035 accelerated completions | | | |
| Nuclear facility D&D—remainder of Hanford | 70,250 | | 70,250 |
| Richland community and regulatory support | 21,940 | | 21,940 |
| Soil and water remediation—groundwater vadose zone | 176,766 | | 176,766 |
| Solid waste stabilization and disposition 200 area | 132,757 | | 132,757 |
| Total, 2035 accelerated completions | 401,713 | | 401,713 |
| Total, Hanford site | 903,080 | | 903,080 |
| Idaho National Laboratory: | | | |
| SNF stabilization and disposition—2012 | 14,768 | | 14,768 |

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| Program | FY 2010 Request | Senate Change | Senate Authorized |
|-------------------------------------------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| <i>Solid waste stabilization and disposition</i> | <i>137,000</i> | | <i>137,000</i> |
| <i>Radioactive liquid tank waste stabilization and disposition</i> | <i>95,800</i> | | <i>95,800</i> |
| Construction: | | | |
| <i>06-D-401, Sodium bearing waste treatment project, Idaho</i> | <i>83,700</i> | | <i>83,700</i> |
| <i>Soil and water remediation—2012</i> | <i>71,000</i> | | <i>71,000</i> |
| <i>Idaho community and regulatory support</i> | <i>3,900</i> | | <i>3,900</i> |
| Total, Idaho National Laboratory | 406,168 | | 406,168 |
| NNSA sites | | | |
| <i>Lawrence Livermore National Laboratory</i> | <i>910</i> | | <i>910</i> |
| <i>NNSA Service Center/SPRU</i> | <i>17,938</i> | | <i>17,938</i> |
| <i>Nevada</i> | <i>65,674</i> | | <i>65,674</i> |
| <i>California site support</i> | <i>238</i> | | <i>238</i> |
| <i>Sandia National Laboratories</i> | <i>2,864</i> | | <i>2,864</i> |
| <i>Los Alamos National Laboratory</i> | <i>189,000</i> | | <i>189,000</i> |
| Total, NNSA sites and Nevada off-sites | 276,624 | | 276,624 |
| Oak Ridge Reservation: | | | |
| <i>Building 3019</i> | <i>38,900</i> | | <i>38,900</i> |
| <i>Nuclear facility D & D ORNL</i> | <i>38,900</i> | | <i>38,900</i> |
| <i>Nuclear facility D & D Y-12</i> | <i>34,000</i> | | <i>34,000</i> |
| <i>Nuclear facility D & D E. Tennessee technology park</i> | <i>100</i> | | <i>100</i> |
| <i>OR reservation community and regulatory support</i> | <i>6,253</i> | | <i>6,253</i> |
| <i>Solid waste stabilization and disposition—2012</i> | <i>35,615</i> | | <i>35,615</i> |
| Total, Oak Ridge Reservation | 153,768 | | 153,768 |
| Office of River Protection: | | | |
| Waste treatment and immobilization plant | | | |
| Construction: | | | |
| <i>01-D-416 Waste treatment and immobilization plant</i> | | | |
| <i>01-D-16A Low activity waste facility</i> | <i>100,000</i> | | <i>100,000</i> |
| <i>01-D-16B Analytical laboratory</i> | <i>55,000</i> | | <i>55,000</i> |
| <i>01-D-16C Balance of facilities</i> | <i>50,000</i> | | <i>50,000</i> |
| <i>01-D-16D High level waste facility</i> | <i>160,000</i> | | <i>160,000</i> |
| <i>01-D-16E Pretreatment facility</i> | <i>325,000</i> | | <i>325,000</i> |
| Total, Waste treatment and immobilization plant | 690,000 | | 690,000 |
| Tank farm activities | | | |
| <i>Rad liquid tank waste stabilization and disposition</i> | <i>408,000</i> | | <i>408,000</i> |
| Total, Office of River protection | 1,098,000 | | 1,098,000 |
| Savannah River Site: | | | |
| Nuclear material stabilization and disposition | | | |
| <i>Nuclear material stabilization and disposition</i> | <i>385,310</i> | | <i>385,310</i> |
| Construction: | | | |
| <i>08-D-414 Project engineering and design Plutonium Vitrification Facility, VL</i> | <i>6,315</i> | | <i>6,315</i> |
| Total, Nuclear material stabilization and disposition | 391,625 | | 391,625 |
| 2035 accelerated completions | | | |
| <i>SR community and regulatory support</i> | <i>18,300</i> | | <i>18,300</i> |
| <i>Spent nuclear fuel stabilization and disposition</i> | <i>38,768</i> | | <i>38,768</i> |
| Total, 2035 accelerated completions | 57,068 | | 57,068 |
| Tank farm activities | | | |
| <i>Radioactive liquid tank waste stabilization and disposition</i> | <i>527,138</i> | | <i>527,138</i> |
| Construction: | | | |
| <i>05-D-405, Salt waste processing facility, Savannah River Site, SC</i> | <i>234,118</i> | | <i>234,118</i> |
| Total, Tank farm activities | 761,256 | | 761,256 |
| Total, Savannah River Site | 1,209,949 | | 1,209,949 |
| Waste Isolation Pilot Plant | | | |
| <i>Waste isolation pilot plant</i> | <i>144,902</i> | | <i>144,902</i> |
| <i>Central characterization project</i> | <i>13,730</i> | | <i>13,730</i> |
| <i>Transportation</i> | <i>33,851</i> | | <i>33,851</i> |

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| <i>Program</i> | <i>FY 2010 Request</i> | <i>Senate Change</i> | <i>Senate Authorized</i> |
|-----------------------------------------------------------|----------------------------|--------------------------|------------------------------|
| <i>Community and regulatory support</i> | <i>27,854</i> | | <i>27,854</i> |
| Total, Waste Isolation Pilot Plant | 220,337 | | 220,337 |
| <i>Program direction</i> | <i>355,000</i> | | <i>355,000</i> |
| <i>Program support</i> | <i>34,000</i> | | <i>34,000</i> |
| Safeguards and Security: | | | |
| <i>Waste Isolation Pilot Project</i> | <i>4,644</i> | | <i>4,644</i> |
| <i>Oak Ridge Reservation</i> | <i>32,400</i> | | <i>32,400</i> |
| <i>West Valley</i> | <i>1,859</i> | | <i>1,859</i> |
| <i>Paducah</i> | <i>8,190</i> | | <i>8,190</i> |
| <i>Portsmouth</i> | <i>17,509</i> | | <i>17,509</i> |
| <i>Richland/Hanford Site</i> | <i>82,771</i> | | <i>82,771</i> |
| <i>Savannah River Site</i> | <i>132,064</i> | | <i>132,064</i> |
| Total, Safeguards and Security | 279,437 | | 279,437 |
| <i>Technology development</i> | <i>55,000</i> | | <i>55,000</i> |
| <i>Uranium enrichment D&D fund contribution</i> | <i>463,000</i> | | <i>463,000</i> |
| <i>General reduction</i> | | <i>-100,000</i> | <i>-100,000</i> |
| Subtotal, Defense environmental cleanup | 5,495,831 | -100,000 | 5,395,831 |
| Total, Defense Environmental Cleanup | 5,495,831 | -100,000 | 5,395,831 |
| Other Defense Activities | | | |
| Health, safety and security | | | |
| <i>Health, safety and security</i> | <i>337,757</i> | | <i>337,757</i> |
| <i>Program direction</i> | <i>112,125</i> | | <i>112,125</i> |
| Total, Health, safety and security | 449,882 | | 449,882 |
| Office of Legacy Management | | | |
| <i>Legacy management</i> | <i>177,618</i> | | <i>177,618</i> |
| <i>Program direction</i> | <i>12,184</i> | | <i>12,184</i> |
| Total, Office of Legacy Management | 189,802 | | 189,802 |
| Nuclear energy | | | |
| Infrastructure | | | |
| Idaho facilities management | | | |
| <i>INL infrastructure operation and maintenance</i> | <i>83,358</i> | | <i>83,358</i> |
| Total, Infrastructure | 83,358 | | 83,358 |
| Total, Nuclear energy | 83,358 | | 83,358 |
| <i>Defense related administrative support</i> | <i>122,982</i> | | <i>122,982</i> |
| <i>Office of hearings and appeals</i> | <i>6,444</i> | | <i>6,444</i> |
| Total, Other Defense Activities | 852,468 | | 852,468 |
| Defense Nuclear Waste Disposal | | | |
| <i>Defense nuclear waste disposal</i> | <i>98,400</i> | | <i>98,400</i> |
| Total, Department of Energy | 16,397,914 | | 16,397,914 |

**DIVISION E—MATTHEW SHEPARD HATE
CRIMES PREVENTION ACT**

SEC. 4701. SHORT TITLE.

This division may be cited as the “Matthew Shepard Hate Crimes Prevention Act”.

SEC. 4702. FINDINGS.

Congress makes the following findings:

(1) The incidence of violence motivated by the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of the victim poses a serious national problem.

(2) Such violence disrupts the tranquility and safety of communities and is deeply divisive.

(3) State and local authorities are now and will continue to be responsible for prosecuting

the overwhelming majority of violent crimes in the United States, including violent crimes motivated by bias. These authorities can carry out their responsibilities more effectively with greater Federal assistance.

(4) Existing Federal law is inadequate to address this problem.

(5) A prominent characteristic of a violent crime motivated by bias is that it devastates not just the actual victim and the family and friends of the victim, but frequently savages the community sharing the traits that caused the victim to be selected.

(6) Such violence substantially affects interstate commerce in many ways, including the following:

(A) The movement of members of targeted groups is impeded, and members of such groups are forced to move across State lines to escape the incidence or risk of such violence.

(B) Members of targeted groups are prevented from purchasing goods and services, obtaining or sustaining employment, or participating in other commerce or risk of such violence.

(C) Perpetrators cross State lines to commit such violence.

(D) Channels, facilities, and instrumentalities of interstate commerce are used to facilitate the commission of such violence.

(E) Such violence is committed using articles that have traveled in interstate commerce.

(7) For generations, the institutions of slavery and involuntary servitude were defined by the race, color, and ancestry of those held in bondage. Slavery and involuntary servitude were enforced, both prior to and after the adoption of the 13th amendment to the Constitution of the United States, through widespread public and private violence directed at persons because of their race, color, or ancestry, or perceived race, color, or ancestry. Accordingly, eliminating racially motivated violence is an important means of eliminating, to the extent possible, the badges, incidents, and relics of slavery and involuntary servitude.

(8) Both at the time when the 13th, 14th, and 15th amendments to the Constitution of the United States were adopted, and continuing to date, members of certain religious and national origin groups were and are perceived to be distinct "races". Thus, in order to eliminate, to the extent possible, the badges, incidents, and relics of slavery, it is necessary to prohibit assaults on the basis of real or perceived religions or national origins, at least to the extent such religions or national origins were regarded as races at the time of the adoption of the 13th, 14th, and 15th amendments to the Constitution of the United States.

(9) Federal jurisdiction over certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes.

(10) The problem of crimes motivated by bias is sufficiently serious, widespread, and interstate in nature as to warrant Federal assistance to States, local jurisdictions, and Indian tribes.

SEC. 4703. DEFINITION OF HATE CRIME.

In this division—

(1) the term "crime of violence" has the meaning given that term in section 16, title 18, United States Code;

(2) the term "hate crime" has the meaning given such term in section 280003(a) of the Violent Crime Control and Law Enforcement Act of 1994 (28 U.S.C. 994 note); and

(3) the term "local" means a county, city, town, township, parish, village, or other general purpose political subdivision of a State.

SEC. 4704. SUPPORT FOR CRIMINAL INVESTIGATIONS AND PROSECUTIONS BY STATE, LOCAL, AND TRIBAL LAW ENFORCEMENT OFFICIALS.

(a) ASSISTANCE OTHER THAN FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—At the request of State, local, or tribal law enforcement agency, the Attorney General may provide technical, forensic, prosecutorial, or any other form of assistance in the criminal investigation or prosecution of any crime that—

(A) constitutes a crime of violence;

(B) constitutes a felony under the State, local, or tribal laws; and

(C) is motivated by prejudice based on the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of the victim, or is a violation of the State, local, or tribal hate crime laws.

(2) PRIORITY.—In providing assistance under paragraph (1), the Attorney General shall give priority to crimes committed by offenders who have committed crimes in more than one State and to rural jurisdictions that have difficulty covering the extraordinary expenses relating to the investigation or prosecution of the crime.

(b) GRANTS.—

(1) IN GENERAL.—The Attorney General may award grants to State, local, and tribal law enforcement agencies for extraordinary expenses associated with the investigation and prosecution of hate crimes.

(2) OFFICE OF JUSTICE PROGRAMS.—In implementing the grant program under this subsection, the Office of Justice Programs shall work closely with grantees to ensure that the concerns and needs of all affected parties, including community groups and schools, colleges,

and universities, are addressed through the local infrastructure developed under the grants.

(3) APPLICATION.—

(A) IN GENERAL.—Each State, local, and tribal law enforcement agency that desires a grant under this subsection shall submit an application to the Attorney General at such time, in such manner, and accompanied by or containing such information as the Attorney General shall reasonably require.

(B) DATE FOR SUBMISSION.—Applications submitted pursuant to subparagraph (A) shall be submitted during the 60-day period beginning on a date that the Attorney General shall prescribe.

(C) REQUIREMENTS.—A State, local, and tribal law enforcement agency applying for a grant under this subsection shall—

(i) describe the extraordinary purposes for which the grant is needed;

(ii) certify that the State, local government, or Indian tribe lacks the resources necessary to investigate or prosecute the hate crime;

(iii) demonstrate that, in developing a plan to implement the grant, the State, local, and tribal law enforcement agency has consulted and coordinated with nonprofit, nongovernmental victim services programs that have experience in providing services to victims of hate crimes; and

(iv) certify that any Federal funds received under this subsection will be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this subsection.

(4) DEADLINE.—An application for a grant under this subsection shall be approved or denied by the Attorney General not later than 180 business days after the date on which the Attorney General receives the application.

(5) GRANT AMOUNT.—A grant under this subsection shall not exceed \$100,000 for any single jurisdiction in any 1-year period.

(6) REPORT.—Not later than December 31, 2010, the Attorney General shall submit to Congress a report describing the applications submitted for grants under this subsection, the award of such grants, and the purposes for which the grant amounts were expended.

(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2010 and 2011.

SEC. 4705. GRANT PROGRAM.

(a) AUTHORITY TO AWARD GRANTS.—The Office of Justice Programs of the Department of Justice may award grants, in accordance with such regulations as the Attorney General may prescribe, to State, local, or tribal programs designed to combat hate crimes committed by juveniles, including programs to train local law enforcement officers in identifying, investigating, prosecuting, and preventing hate crimes.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 4706. AUTHORIZATION FOR ADDITIONAL PERSONNEL TO ASSIST STATE, LOCAL, AND TRIBAL LAW ENFORCEMENT.

There are authorized to be appropriated to the Department of Justice, including the Community Relations Service, for fiscal years 2010, 2011, and 2012 such sums as are necessary to increase the number of personnel to prevent and respond to alleged violations of section 249 of title 18, United States Code, as added by section 4707 of this division.

SEC. 4707. PROHIBITION OF CERTAIN HATE CRIME ACTS.

(a) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

"§249. Hate crime acts

"(a) IN GENERAL.—

"(1) OFFENSES INVOLVING ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, OR NATIONAL ORIGIN.—Whoever, whether or not acting under

color of law, willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person—

"(A) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and

"(B) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—

"(i) death results from the offense; or

"(ii) the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

"(2) OFFENSES INVOLVING ACTUAL OR PERCEIVED RELIGION, NATIONAL ORIGIN, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.—

"(A) IN GENERAL.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (3), willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity or disability of any person—

"(i) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and

"(ii) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—

title, or both, and shall be subject to the penalty of death in accordance with chapter 228 (if death results from the offense), if—

"(i) death results from the offense; or

"(ii) the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

"(2) OFFENSES INVOLVING ACTUAL OR PERCEIVED RELIGION, NATIONAL ORIGIN, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.—

"(A) IN GENERAL.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (3), willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity or disability of any person—

"(i) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and

"(ii) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, and shall be subject to the penalty of death in accordance with chapter 228 (if death results from the offense), if—

"(I) death results from the offense; or

"(II) the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

"(B) CIRCUMSTANCES DESCRIBED.—For purposes of subparagraph (A), the circumstances described in this subparagraph are that—

"(i) the conduct described in subparagraph (A) occurs during the course of, or as the result of, the travel of the defendant or the victim—

"(I) across a State line or national border; or

"(II) using a channel, facility, or instrumentality of interstate or foreign commerce;

"(ii) the defendant uses a channel, facility, or instrumentality of interstate or foreign commerce in connection with the conduct described in subparagraph (A);

"(iii) in connection with the conduct described in subparagraph (A), the defendant employs a

firearm, dangerous weapon, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce; or

“(iv) the conduct described in subparagraph (A)—

“(I) interferes with commercial or other economic activity in which the victim is engaged at the time of the conduct; or

“(II) otherwise affects interstate or foreign commerce.

“(3) OFFENSES OCCURRING IN THE SPECIAL MARITIME OR TERRITORIAL JURISDICTION OF THE UNITED STATES.—Whoever, within the special maritime or territorial jurisdiction of the United States, commits an offense described in paragraph (1) or (2) shall be subject to the same penalties as prescribed in those paragraphs.

“(b) CERTIFICATION REQUIREMENT.—

“(1) IN GENERAL.—No prosecution of any offense described in this subsection may be undertaken by the United States, except under the certification in writing of the Attorney General, or his designee, that—

“(A) the State does not have jurisdiction;

“(B) the State has requested that the Federal Government assume jurisdiction;

“(C) the verdict or sentence obtained pursuant to State charges left demonstratively unvindicated the Federal interest in eradicating bias-motivated violence; or

“(D) a prosecution by the United States is in the public interest and necessary to secure substantial justice.

“(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the authority of Federal officers, or a Federal grand jury, to investigate possible violations of this section.

“(c) DEFINITIONS.—In this section—

“(1) the term ‘bodily injury’ has the meaning given such term in section 1365(h)(4) of this title, but does not include solely emotional or psychological harm to the victim;

“(2) the term ‘explosive or incendiary device’ has the meaning given such term in section 232 of this title;

“(3) the term ‘firearm’ has the meaning given such term in section 921(a) of this title; and

“(4) the term ‘gender identity’ for the purposes of this chapter means actual or perceived gender-related characteristics.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“249. Hate crime acts.”

SEC. 4708. STATISTICS.

(a) IN GENERAL.—Subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note) is amended by inserting “gender and gender identity,” after “race.”

(b) DATA.—Subsection (b)(5) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note) is amended by inserting “, including data about crimes committed by, and crimes directed against, juveniles” after “data acquired under this section”.

SEC. 4709. SEVERABILITY.

If any provision of this division, an amendment made by this division, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this division, the amendments made by this division, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

SEC. 4710. RULE OF CONSTRUCTION.

For purposes of construing this division and the amendments made by this division the following shall apply:

(1) RELEVANT EVIDENCE.—Courts may consider relevant evidence of speech, beliefs, or expressive conduct to the extent that such evidence is offered to prove an element of a charged offense or is otherwise admissible under the Federal Rules of Evidence. Nothing in this division is intended to affect the existing rules of evidence.

(2) VIOLENT ACTS.—This division applies to violent acts motivated by actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability of a victim.

SEC. 4711. CONSTRUCTION AND APPLICATION.

Nothing in this division, or an amendment made by this division, shall be construed or applied in a manner that infringes on any rights under the first amendment to the Constitution of the United States, or substantially burdens any exercise of religion (regardless of whether compelled by, or central to, a system of religious belief), speech, expression, association, if such exercise of religion, speech, expression, or association was not intended to—

(1) plan or prepare for an act of physical violence; or

(2) incite an imminent act of physical violence against another.

(3) FREE EXPRESSION.—Nothing in this division shall be construed to allow prosecution based solely upon an individual’s expression of racial, religious, political, or other beliefs or solely upon an individual’s membership in a group advocating or espousing such beliefs.

(4) FIRST AMENDMENT.—Nothing in this division, or an amendment made by this division, shall be construed to diminish any rights under the first amendment to the Constitution of the United States.

(5) CONSTITUTIONAL PROTECTIONS.—Nothing in this division shall be construed to prohibit any constitutionally protected speech, expressive conduct or activities (regardless of whether compelled by, or central to, a system of religious belief), including the exercise of religion protected by the first amendment to the Constitution of the United States and peaceful picketing or demonstration. The Constitution does not protect speech, conduct or activities consisting of planning for, conspiring to commit, or committing an act of violence.

SEC. 4712. LIMITATION ON PROSECUTIONS.

(a) IN GENERAL.—All prosecutions under section 249 of title 18, United States Code, as added by this Act, shall be undertaken pursuant to guideline, issued by the Attorney General—

(1) to guide the exercise of the discretion of Federal prosecutors and the Attorney General in their decisions whether to seek death sentences under such section when the crime results in a loss of life; and

(2) that identify with particularity the the type facts of such cases that will support the classification of individual cases in term of their culpability and death eligibility as low, medium, and high.

(b) REQUIREMENTS FOR DEATH PENALTY.—If the Government seeks a death sentence in crime under section 249 of title 18, United States Code, as added by this Act, that results in a loss of life—

(1) the Attorney General shall certify with particularity in the information or indictment how the facts of the case support the Government’s judgment that the case is properly classified among the cases involving a hate crime that resulted in a victim’s death;

(2) the Attorney General shall document in a filing to the court—

(A) the facts of the crime (including date of offense and arrest and location of the offense), charges, convictions, and sentences of all state and Federal hate crimes (committed before or after the effective date of this legislation) that resulted in a loss of life and were known to the Assistant United States Attorney or the Attorney General; and

(B) the actual or perceived race, color, national origin, ethnicity, religion, gender, sexual orientation, gender identity, or disability of the defendant and all victims; and

(3)(A) the court, either at the close of the guilt trial or at the close of the penalty trial, shall conduct a proportionality review in which it shall examine whether the prosecutorial death

seeking and death sentencing rates in comparable cases in Federal prosecutions are both greater than 50 percent; and

(B) if the United States fails to satisfy the test under subparagraph (A), by a preponderance of the evidence, the court shall dismiss the Government’s action seeking a death sentence in the case.

SEC. 4713. GUIDELINES FOR HATE-CRIMES OFFENSES.

Section 249(a) of title 18, United States Code, as added by section _____ of this Act, is amended by adding at the end the following:

“(4) GUIDELINES.—All prosecutions conducted by the United States under this section shall be undertaken pursuant to guidelines issued by the Attorney General, or the designee of the Attorney General, to be included in the United States Attorneys’ Manual that shall establish neutral and objective criteria for determining whether a crime was committed because of the actual or perceived status of any person.”

SEC. 4714. ATTACKS ON UNITED STATES SERVICEMEN.

(a) IN GENERAL.—Chapter 67 of title 18, United States Code, is amended by adding at the end the following:

“§ 1389. Prohibition on attacks on United States servicemen on account of service

“(a) IN GENERAL.—Whoever knowingly assaults or batters a United States serviceman or an immediate family member of a United States serviceman, or who knowingly destroys or injures the property of such serviceman or immediate family member, on account of the military service of that serviceman or status of that individual as a United States serviceman, or who attempts or conspires to do so, shall—

“(1) in the case of a simple assault, or destruction or injury to property in which the damage or attempted damage to such property is not more than \$500, be fined under this title in an amount not less than \$500 nor more than \$10,000 and imprisoned not more than 2 years;

“(2) in the case of destruction or injury to property in which the damage or attempted damage to such property is more than \$500, be fined under this title in an amount not less than \$1000 nor more than \$100,000 and imprisoned not more than 5 years; and

“(3) in the case of a battery, or an assault resulting in bodily injury, be fined under this title in an amount not less than \$2500 and imprisoned not less than 6 months nor more than 10 years.

“(b) EXCEPTION.—This section shall not apply to conduct by a person who is subject to the Uniform Code of Military Justice.

“(c) DEFINITIONS.—In this section—

“(1) the term ‘Armed Forces’ has the meaning given that term in section 1388;

“(2) the term ‘immediate family member’ has the meaning given that term in section 115; and

“(3) the term ‘United States serviceman’—

“(A) means a member of the Armed Forces; and

“(B) includes a former member of the Armed Forces during the 5-year period beginning on the date of the discharge from the Armed Forces of that member of the Armed Forces.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 67 of title 18, United States Code, is amended by adding at the end the following:

“1389. Prohibition on attacks on United States servicemen on account of service.”

DIVISION F—SBIR/STTR REAUTHORIZATION

SEC. 5001. SHORT TITLE.

This division may be cited as the “SBIR/STTR Reauthorization Act of 2009”.

SEC. 5002. DEFINITIONS.

In this division—

(1) the terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively;

(2) the terms “extramural budget”, “Federal agency”, “Small Business Innovation Research Program”, “SBIR”, “Small Business Technology Transfer Program”, and “STTR” have the meanings given such terms in section 9 of the Small Business Act (15 U.S.C. 638); and

(3) the term “small business concern” has the same meaning as under section 3 of the Small Business Act (15 U.S.C. 632).

TITLE LI—REAUTHORIZATION OF THE SBIR AND STTR PROGRAMS

SEC. 5101. EXTENSION OF TERMINATION DATES.

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended by striking “2008” and inserting “2017”.

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended by striking “2009” and inserting “2017”.

SEC. 5102. STATUS OF THE OFFICE OF TECHNOLOGY.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)) is amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting “; and”;

(3) by redesignating paragraph (8) as paragraph (9); and

(4) by adding at the end the following:

“(10) to maintain an Office of Technology to carry out the responsibilities of the Administration under this section, which shall be—

“(A) headed by the Assistant Administrator for Technology, who shall report directly to the Administrator; and

“(B) independent from the Office of Government Contracting of the Administration and sufficiently staffed and funded to comply with the oversight, reporting, and public database responsibilities assigned to the Office of Technology by the Administrator.”.

SEC. 5103. SBIR ALLOCATION INCREASE.

Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “Each” and inserting “Except as provided in paragraph (2)(C), each”;

(B) in subparagraph (B), by striking “and” at the end; and

(C) by striking subparagraph (C) and inserting the following:

“(C) not less than 2.5 percent of such budget in each of fiscal years 2009 and 2010;

“(D) not less than 2.6 percent of such budget in fiscal year 2011;

“(E) not less than 2.7 percent of such budget in fiscal year 2012;

“(F) not less than 2.8 percent of such budget in fiscal year 2013;

“(G) not less than 2.9 percent of such budget in fiscal year 2014;

“(H) not less than 3.0 percent of such budget in fiscal year 2015;

“(I) not less than 3.1 percent of such budget in fiscal year 2016;

“(J) not less than 3.2 percent of such budget in fiscal year 2017;

“(K) not less than 3.3 percent of such budget in fiscal year 2018;

“(L) not less than 3.4 percent of such budget in fiscal year 2019; and

“(M) not less than 3.5 percent of such budget in fiscal year 2020 and each fiscal year thereafter.”; and

(2) in paragraph (2)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(B) by striking “A Federal agency” and inserting the following:

“(A) IN GENERAL.—A Federal agency”; and

(C) by adding at the end the following:

“(B) DEPARTMENT OF DEFENSE AND DEPARTMENT OF ENERGY.—For the Department of Defense and the Department of Energy, to the greatest extent practicable, the percentage of the

extramural budget in excess of 2.5 percent required to be expended with small business concerns under subparagraphs (D) through (M) of paragraph (1)—

“(i) may not be used for new Phase I or Phase II awards; and

“(ii) shall be used for activities that further the readiness levels of technologies developed under Phase II awards, including conducting testing and evaluation to promote the transition of such technologies into commercial or defense products, or systems furthering the mission needs of the Department of Defense or the Department of Energy, as the case may be.”.

SEC. 5104. STTR ALLOCATION INCREASE.

Section 9(n)(1)(B) of the Small Business Act (15 U.S.C. 638(n)(1)(B)) is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking “thereafter.” and inserting “through fiscal year 2010;”; and

(3) by adding at the end the following:

“(iii) 0.4 percent for fiscal years 2011 and 2012;

“(iv) 0.5 percent for fiscal years 2013 and 2014; and

“(v) 0.6 percent for fiscal year 2015 and each fiscal year thereafter.”.

SEC. 5105. SBIR AND STTR AWARD LEVELS.

(a) SBIR ADJUSTMENTS.—Section 9(j)(2)(D) of the Small Business Act (15 U.S.C. 638(j)(2)(D)) is amended—

(1) by striking “\$100,000” and inserting “\$150,000”; and

(2) by striking “\$750,000” and inserting “\$1,000,000”.

(b) STTR ADJUSTMENTS.—Section 9(p)(2)(B)(ix) of the Small Business Act (15 U.S.C. 638(p)(2)(B)(ix)) is amended—

(1) by striking “\$100,000” and inserting “\$150,000”; and

(2) by striking “\$750,000” and inserting “\$1,000,000”.

(c) TRIENNIAL ADJUSTMENTS.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (j)(2)(D)—

(A) by striking “5 years” and inserting “3 years”; and

(B) by striking “and programmatic considerations”; and

(2) in subsection (p)(2)(B)(ix) by striking “greater or lesser amounts to be awarded at the discretion of the awarding agency,” and inserting “an adjustment for inflation of such amounts once every 3 years.”.

(d) LIMITATION ON CERTAIN AWARDS.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(aa) LIMITATION ON CERTAIN AWARDS.—

“(1) LIMITATION.—No Federal agency may issue an award under the SBIR program or the STTR program if the size of the award exceeds the award guidelines established under this section by more than 50 percent.

“(2) MAINTAINANCE OF INFORMATION.—Participating agencies shall maintain information on awards exceeding the guidelines established under this section, including—

“(A) the amount of each award;

“(B) a justification for exceeding the award amount;

“(C) the identity and location of each award recipient; and

“(D) whether a recipient has received any venture capital investment and, if so, whether the recipient is majority-owned and controlled by multiple venture capital companies.

“(3) REPORTS.—The Administrator shall include the information described in paragraph (2) in the annual report of the Administrator to Congress.

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prevent a Federal agency from supplementing an award under the SBIR program or the STTR program using funds of the Federal agency that are not part of the SBIR program or the STTR program of the Federal agency.”.

SEC. 5106. AGENCY AND PROGRAM COLLABORATION.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this division, is amended by adding at the end the following:

“(bb) SUBSEQUENT PHASES.—

“(1) AGENCY COLLABORATION.—A small business concern that received an award from a Federal agency under this section shall be eligible to receive an award for a subsequent phase from another Federal agency, if the head of each relevant Federal agency or the relevant component of the Federal agency makes a written determination that the topics of the relevant awards are the same and both agencies report the awards to the Administrator for inclusion in the public database under subsection (k).

“(2) SBIR AND STTR COLLABORATION.—A small business concern which received an award under this section under the SBIR program or the STTR program may receive an award under this section for a subsequent phase in either the SBIR program or the STTR program and the participating agency or agencies shall report the awards to the Administrator for inclusion in the public database under subsection (k).”.

SEC. 5107. ELIMINATION OF PHASE II INVITATIONS.

(a) IN GENERAL.—Section 9(e) of the Small Business Act (15 U.S.C. 638(e)) is amended—

(1) in paragraph (4)(B), by striking “to further” and inserting: “which shall not include any invitation, pre-screening, pre-selection, or down-selection process for eligibility for the second phase, that will further”; and

(2) in paragraph (6)(B), by striking “to further develop proposed ideas to” and inserting “which shall not include any invitation, pre-screening, pre-selection, or down-selection process for eligibility for the second phase, that will further develop proposals that”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The Small Business Act (15 U.S.C. 638) is amended—

(1) in section 9—

(A) in subsection (e)—

(i) in paragraph (8), by striking “and” at the end;

(ii) in paragraph (9)—

(I) by striking “the second or the third phase” and inserting “Phase II or Phase III”; and

(II) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(10) the term ‘Phase I’ means—

“(A) with respect to the SBIR program, the first phase described in paragraph (4)(A); and

“(B) with respect to the STTR program, the first phase described in paragraph (6)(A);

“(11) the term ‘Phase II’ means—

“(A) with respect to the SBIR program, the second phase described in paragraph (4)(B); and

“(B) with respect to the STTR program, the second phase described in paragraph (6)(B); and

“(12) the term ‘Phase III’ means—

“(A) with respect to the SBIR program, the third phase described in paragraph (4)(C); and

“(B) with respect to the STTR program, the third phase described in paragraph (6)(C).”;

(B) in subsection (j)—

(i) in paragraph (1)(B), by striking “phase two” and inserting “Phase II”;;

(ii) in paragraph (2)—

(I) in subparagraph (B)—

(aa) by striking “the third phase” each place it appears and inserting “Phase III”; and

(bb) by striking “the second phase” and inserting “Phase II”;;

(II) in subparagraph (D)—

(aa) by striking “the first phase” and inserting “Phase I”; and

(bb) by striking “the second phase” and inserting “Phase II”;;

(III) in subparagraph (F), by striking “the third phase” and inserting “Phase III”;;

(IV) in subparagraph (G)—

(aa) by striking “the first phase” and inserting “Phase I”; and

(bb) by striking “the second phase” and inserting “Phase II”; and

(V) in subparagraph (H)—

(aa) by striking “the first phase” and inserting “Phase I”;

(bb) by striking “second phase” each place it appears and inserting “Phase II”; and

(cc) by striking “third phase” and inserting “Phase III”; and

(iii) in paragraph (3)—

(I) in subparagraph (A)—

(aa) by striking “the first phase (as described in subsection (e)(4)(A))” and inserting “Phase I”;

(bb) by striking “the second phase (as described in subsection (e)(4)(B))” and inserting “Phase II”; and

(cc) by striking “the third phase (as described in subsection (e)(4)(C))” and inserting “Phase III”; and

(II) in subparagraph (B), by striking “second phase” and inserting “Phase II”;

(C) in subsection (k)—

(i) by striking “first phase” each place it appears and inserting “Phase I”; and

(ii) by striking “second phase” each place it appears and inserting “Phase II”;

(D) in subsection (l)(2)—

(i) by striking “the first phase” and inserting “Phase I”; and

(ii) by striking “the second phase” and inserting “Phase II”;

(E) in subsection (o)(13)—

(i) in subparagraph (B), by striking “second phase” and inserting “Phase II”; and

(ii) in subparagraph (C), by striking “third phase” and inserting “Phase III”;

(F) in subsection (p)—

(i) in paragraph (2)(B)—

(I) in clause (vi)—

(aa) by striking “the second phase” and inserting “Phase II”; and

(bb) by striking “the third phase” and inserting “Phase III”; and

(II) in clause (ix)—

(aa) by striking “the first phase” and inserting “Phase I”; and

(bb) by striking “the second phase” and inserting “Phase II”; and

(ii) in paragraph (3)—

(I) by striking “the first phase (as described in subsection (e)(6)(A))” and inserting “Phase I”;

(II) by striking “the second phase (as described in subsection (e)(6)(B))” and inserting “Phase II”; and

(III) by striking “the third phase (as described in subsection (e)(6)(A))” and inserting “Phase III”;

(G) in subsection (q)(3)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by striking “FIRST PHASE” and inserting “PHASE I”; and

(II) by striking “first phase” and inserting “Phase I”; and

(ii) in subparagraph (B)—

(I) in the subparagraph heading, by striking “SECOND PHASE” and inserting “PHASE II”; and

(II) by striking “second phase” and inserting “Phase II”;

(H) in subsection (r)—

(i) in the subsection heading, by striking “THIRD PHASE” and inserting “PHASE III”;

(ii) in paragraph (1)—

(I) in the first sentence—

(aa) by striking “for the second phase” and inserting “for Phase II”;

(bb) by striking “third phase” and inserting “Phase III”; and

(cc) by striking “second phase period” and inserting “Phase II period”; and

(II) in the second sentence—

(aa) by striking “second phase” and inserting “Phase II”; and

(bb) by striking “third phase” and inserting “Phase III”; and

(iii) in paragraph (2), by striking “third phase” and inserting “Phase III”; and

(I) in subsection (u)(2)(B), by striking “the first phase” and inserting “Phase I”;

(2) in section 34—

(A) in subsection (c)(2)(B)(ii), by striking “first phase and second phase SBIR awards” and inserting “Phase I and Phase II SBIR awards (as defined in section 9(e))”; and

(B) in subsection (e)(2)(A)—

(i) in clause (i), by striking “first phase awards” and all that follows and inserting “Phase I awards (as defined in section 9(e))”; and

(ii) by striking “first phase” each place it appears and inserting “Phase I”; and

(3) in section 35(c)(2)(B)(vii), by striking “third phase” and inserting “Phase III”.

SEC. 5108. MAJORITY-VENTURE INVESTMENTS IN SBIR FIRMS.

(a) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this division, is amended by adding at the end the following:

“(cc) MAJORITY-VENTURE INVESTMENTS IN SBIR FIRMS.—

“(1) AUTHORITY AND DETERMINATION.—

“(A) IN GENERAL.—Upon a written determination provided not later than 30 days in advance to the Administrator and to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives—

“(i) the Director of the National Institutes of Health may award not more than 18 percent of the SBIR funds of the National Institutes of Health allocated in accordance with this Act, in the first full fiscal year beginning after the date of enactment of this subsection, and each fiscal year thereafter, to small business concerns that are owned in majority part by venture capital companies and that satisfy the qualification requirements under paragraph (2) through competitive, merit-based procedures that are open to all eligible small business concerns; and

“(ii) the head of any other Federal agency participating in the SBIR program may award not more than 8 percent of the SBIR funds of the Federal agency allocated in accordance with this Act, in the first full fiscal year beginning after the date of enactment of this subsection, and each fiscal year thereafter, to small business concerns that are majority owned by venture capital companies and that satisfy the qualification requirements under paragraph (2) through competitive, merit-based procedures that are open to all eligible small business concerns.

“(B) DETERMINATION.—A written determination made under subparagraph (A) shall explain how the use of the authority under that subparagraph will induce additional venture capital funding of small business innovations, substantially contribute to the mission of the funding Federal agency, demonstrate a need for public research, and otherwise fulfill the capital needs of small business concerns for additional financing for the SBIR program.

“(2) QUALIFICATION REQUIREMENTS.—The Administrator shall establish requirements relating to the affiliation by small business concerns with venture capital companies, which may not exclude a United States small business concern from participation in the program under paragraph (1) on the basis that the small business concern is owned in majority part by, or controlled by, more than 1 United States venture capital company, so long as no single venture capital company owns more than 49 percent of the small business concern.

“(3) REGISTRATION.—A small business concern that is majority owned and controlled by multiple venture capital companies and qualified for participation in the program authorized under paragraph (1) shall—

“(A) register with the Administrator on the date that the small business concern submits an application for an award under the SBIR program; and

“(B) indicate whether the small business concern is registered under subparagraph (A) in any SBIR proposal.

“(4) COMPLIANCE.—A Federal agency described in paragraph (1) shall collect data regarding the number and dollar amounts of phase I, phase II, and all other categories of awards under the SBIR program, and the Administrator shall report on the data and the compliance of each such Federal agency with the maximum amounts under paragraph (1) as part of the annual report by the Administration under subsection (b)(7).

“(5) ENFORCEMENT.—If a Federal agency awards more than the amount authorized under paragraph (1) for a purpose described in paragraph (1), the amount awarded in excess of the amount authorized under paragraph (1) shall be transferred to the funds for general SBIR programs from the non-SBIR research and development funds of the Federal agency within 60 days of the date on which the Federal agency awarded more than the amount authorized under paragraph (1) for a purpose described in paragraph (1).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following:

“(t) VENTURE CAPITAL COMPANY.—In this Act, the term ‘venture capital company’ means an entity described in clause (i), (v), or (vi) of section 121.103(b)(5) of title 13, Code of Federal Regulations (or any successor thereto).”.

(c) ASSISTANCE FOR DETERMINING AFFILIATES.—Not later than 30 days after the date of enactment of this Act, the Administrator shall post on the website of the Administration (with a direct link displayed on the homepage of the website of the Administration or the SBIR website of the Administration)—

(1) a clear explanation of the SBIR affiliation rules under part 121 of title 13, Code of Federal Regulations; and

(2) contact information for officers or employees of the Administration who—

(A) upon request, shall review an issue relating to the rules described in paragraph (1); and

(B) shall respond to a request under subparagraph (A) not later than 20 business days after the date on which the request is received.

SEC. 5109. SBIR AND STTR SPECIAL ACQUISITION PREFERENCE.

Section 9(r) of the Small Business Act (15 U.S.C. 638(r)) is amended by adding at the end the following:

“(4) PHASE III AWARDS.—To the greatest extent practicable, Federal agencies and Federal prime contractors shall issue Phase III awards relating to technology, including sole source awards, to the SBIR and STTR award recipients that developed the technology.”.

SEC. 5110. COLLABORATING WITH FEDERAL LABORATORIES AND RESEARCH AND DEVELOPMENT CENTERS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this division, is amended by adding at the end the following:

“(dd) COLLABORATING WITH FEDERAL LABORATORIES AND RESEARCH AND DEVELOPMENT CENTERS.—

“(1) AUTHORIZATION.—Subject to the limitations under this section, the head of each participating Federal agency may make SBIR and STTR awards to any eligible small business concern that—

“(A) intends to enter into an agreement with a Federal laboratory or federally funded research and development center for portions of the activities to be performed under that award; or

“(B) has entered into a cooperative research and development agreement (as defined in section 12(d) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a(d))) with a Federal laboratory.

“(2) PROHIBITION.—No Federal agency shall—

“(A) condition an SBIR or STTR award upon entering into agreement with any Federal laboratory or any federally funded laboratory or research and development center for any portion

of the activities to be performed under that award;

“(B) approve an agreement between a small business concern receiving a SBIR or STTR award and a Federal laboratory or federally funded laboratory or research and development center, if the small business concern performs a lesser portion of the activities to be performed under that award than required by this section and by the SBIR Policy Directive and the STTR Policy Directive of the Administrator; or

“(C) approve an agreement that violates any provision, including any data rights protections provision, of this section or the SBIR and the STTR Policy Directives.

“(3) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this subsection, the Administrator shall modify the SBIR Policy Directive and the STTR Policy Directive issued under this section to ensure that small business concerns—

“(A) have the flexibility to use the resources of the Federal laboratories and federally funded research and development centers; and

“(B) are not mandated to enter into agreement with any Federal laboratory or any federally funded laboratory or research and development center as a condition of an award.”.

SEC. 5111. NOTICE REQUIREMENT.

The head of any Federal agency involved in a case or controversy before any Federal judicial or administrative tribunal concerning the SBIR program or the STTR program shall provide timely notice, as determined by the Administrator, of the case or controversy to the Administrator.

TITLE LII—OUTREACH AND COMMERCIALIZATION INITIATIVES

SEC. 5201. RURAL AND STATE OUTREACH.

(a) OUTREACH.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by inserting after subsection (r) the following:

“(s) OUTREACH.—

“(1) DEFINITION OF ELIGIBLE STATE.—In this subsection, the term ‘eligible State’ means a State—

“(A) for which the total value of contracts awarded to the State under this section during the most recent fiscal year for which data is available was less than \$5,000,000; and

“(B) that certifies to the Administrator that the State will, upon receipt of assistance under this subsection, provide matching funds from non-Federal sources in an amount that is not less than 50 percent of the amount provided under this subsection.

“(2) PROGRAM AUTHORITY.—Of amounts made available to carry out this section for each of fiscal years 2010 through 2014, the Administrator may expend with eligible States not more than \$5,000,000 in each such fiscal year in order to increase the participation of small business concerns located in those States in the programs under this section.

“(3) AMOUNT OF ASSISTANCE.—The amount of assistance provided to an eligible State under this subsection in any fiscal year—

“(A) shall be equal to not more than 50 percent of the total amount of matching funds from non-Federal sources provided by the State; and

“(B) shall not exceed \$100,000.

“(4) USE OF ASSISTANCE.—Assistance provided to an eligible State under this subsection shall be used by the State, in consultation with State and local departments and agencies, for programs and activities to increase the participation of small business concerns located in the State in the programs under this section, including—

“(A) the establishment of quantifiable performance goals, including goals relating to—

“(i) the number of program awards under this section made to small business concerns in the State; and

“(ii) the total amount of Federal research and development contracts awarded to small business concerns in the State;

“(B) the provision of competition outreach support to small business concerns in the State that are involved in research and development; and

“(C) the development and dissemination of educational and promotional information relating to the programs under this section to small business concerns in the State.”.

(b) FEDERAL AND STATE PROGRAM EXTENSION.—Section 34 of the Small Business Act (15 U.S.C. 657d) is amended—

(1) in subsection (h), by striking “2001 through 2005” each place it appears and inserting “2010 through 2014”; and

(2) in subsection (i), by striking “2005” and inserting “2014”.

(c) MATCHING REQUIREMENTS.—Section 34(e)(2) of the Small Business Act (15 U.S.C. 657d(e)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking “50 cents” and inserting “35 cents”; and

(B) in clause (iii), by striking “75 cents” and inserting “50 cents”;

(2) in subparagraph (B), by striking “50 cents” and inserting “35 cents”;

(3) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(4) by inserting after subparagraph (B) the following:

“(C) RURAL AREAS.—

“(i) IN GENERAL.—Except as provided in clause (ii), the non-Federal share of the cost of the activity carried out using an award or under a cooperative agreement under this section shall be 35 cents for each Federal dollar that will be directly allocated by a recipient described in paragraph (A) to serve small business concerns located in a rural area.

“(ii) ENHANCED RURAL AWARDS.—For a recipient located in a rural area that is located in a State described in subparagraph (A)(i), the non-Federal share of the cost of the activity carried out using an award or under a cooperative agreement under this section shall be 15 cents for each Federal dollar that will be directly allocated by a recipient described in paragraph (A) to serve small business concerns located in the rural area.

“(iii) DEFINITION OF RURAL AREA.—In this subparagraph, the term ‘rural area’ has the meaning given that term in section 1393(a)(2) of the Internal Revenue Code of 1986.”.

SEC. 5202. SBIR-STEM WORKFORCE DEVELOPMENT GRANT PILOT PROGRAM.

(a) PILOT PROGRAM ESTABLISHED.—From amounts made available to carry out this section, the Administrator shall establish a SBIR-STEM Workforce Development Grant Pilot Program to encourage the business community to provide workforce development opportunities for college students, in the fields of science, technology, engineering, and math (in this section referred to as “STEM college students”), by providing a SBIR bonus grant.

(b) ELIGIBLE ENTITIES DEFINED.—In this section the term “eligible entity” means a grantee receiving a grant under the SBIR Program on the date of the bonus grant under subsection (a) that provides an internship program for STEM college students.

(c) AWARDS.—An eligible entity shall receive a bonus grant equal to 10 percent of either a Phase I or Phase II grant, as applicable, with a total award maximum of not more than \$10,000 per year.

(d) EVALUATION.—Following the fourth year of funding under this section, the Administrator shall submit a report to Congress on the results of the SBIR-STEM Workforce Development Grant Pilot Program.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) \$1,000,000 for fiscal year 2011;

(2) \$1,000,000 for fiscal year 2012;

(3) \$1,000,000 for fiscal year 2013;

(4) \$1,000,000 for fiscal year 2014; and

(5) \$1,000,000 for fiscal year 2015.

SEC. 5203. TECHNICAL ASSISTANCE FOR AWARD-EEES.

Section 9(q)(3) of the Small Business Act (15 U.S.C. 638(q)(3)) is amended—

(1) in subparagraph (A), by striking “\$4,000” and inserting “\$5,000”;

(2) in subparagraph (B)—

(A) by striking “, with funds available from their SBIR awards,”; and

(B) by striking “\$4,000 per year” and inserting “\$5,000 per year, which shall be in addition to the amount of the recipient’s award”; and

(3) by adding at the end the following:

“(C) FLEXIBILITY.—In carrying out subparagraphs (A) and (B), each Federal agency shall provide the allowable amounts to a recipient that meets the eligibility requirements under the applicable subparagraph, if the recipient requests to seek technical assistance from an individual or entity other than the vendor selected under paragraph (2) by the Federal agency.

“(D) LIMITATION.—A Federal agency may not—

“(i) use the amounts authorized under subparagraph (A) or (B) unless the vendor selected under paragraph (2) provides the technical assistance to the recipient; or

“(ii) enter a contract with a vendor under paragraph (2) under which the amount provided for technical assistance is based on total number of Phase I or Phase II awards.”.

SEC. 5204. COMMERCIALIZATION PROGRAM AT DEPARTMENT OF DEFENSE.

Section 9(y) of the Small Business Act (15 U.S.C. 638(y)), as amended by section 834 of this Act, is amended—

(1) in paragraph (1), by adding at the end the following: “The authority to create and administer a Commercialization Program under this subsection may not be construed to eliminate or replace any other SBIR program or STTR program that enhances the insertion or transition of SBIR or STTR technologies, including any such program in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3136).”;

(2) by redesignating paragraph (5) as paragraph (7); and

(3) by inserting after paragraph (4) the following:

“(5) INSERTION INCENTIVES.—For any contract with a value of not less than \$100,000,000, the Secretary of Defense is authorized to—

“(A) establish goals for the transition of Phase III technologies in subcontracting plans; and

“(B) require a prime contractor on such a contract to report the number and dollar amount of contracts entered into by that prime contractor for Phase III SBIR or STTR projects.

“(6) GOAL FOR SBIR AND STTR TECHNOLOGY INSERTION.—The Secretary of Defense shall—

“(A) set a goal to increase the number of Phase II SBIR contracts and the number of Phase II STTR contracts awarded by that Secretary that lead to technology transition into programs of record or fielded systems;

“(B) use incentives in effect on the date of enactment of the SBIR/STTR Reauthorization Act of 2009, or create new incentives, to encourage agency program managers and prime contractors to meet the goal under subparagraph (A); and

“(C) include in the annual report to Congress the percentage of contracts described in subparagraph (A) awarded by that Secretary, and information on the ongoing status of projects funded through the Commercialization Program and efforts to transition these technologies into programs of record or fielded systems.”.

SEC. 5205. COMMERCIALIZATION PILOT PROGRAM FOR CIVILIAN AGENCIES.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this division, is amended by adding at the end the following:

“(ee) PILOT PROGRAM.—

“(1) AUTHORIZATION.—The head of each covered Federal agency may set aside not more than 10 percent of the SBIR and STTR funds of such agency for further technology development, testing, and evaluation of SBIR and STTR Phase II technologies.

“(2) APPLICATION BY FEDERAL AGENCY.—

“(A) IN GENERAL.—A covered Federal agency may not establish a pilot program unless such agency makes a written application to the Administrator, not later than 90 days before to the first day of the fiscal year in which the pilot program is to be established, that describes a compelling reason that additional investment in SBIR or STTR technologies is necessary, including unusually high regulatory, systems integration, or other costs relating to development or manufacturing of identifiable, highly promising small business technologies or a class of such technologies expected to substantially advance the mission of the agency.

“(B) DETERMINATION.—The Administrator shall—

“(i) make a determination regarding an application submitted under subparagraph (A) not later than 30 days before the first day of the fiscal year for which the application is submitted;

“(ii) publish the determination in the Federal Register; and

“(iii) make a copy of the determination and any related materials available to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives.

“(3) MAXIMUM AMOUNT OF AWARD.—The head of a Federal agency may not make an award under a pilot program in excess of 3 times the dollar amounts generally established for Phase II awards under subsection (j)(2)(D) or (p)(2)(B)(ix).

“(4) MATCHING.—The head of a Federal agency may not make an award under a pilot program for SBIR or STTR Phase II technology that will be acquired by the Federal Government unless new private, Federal non-SBIR, or Federal non-STTR funding that at least matches the award from the Federal agency is provided for the SBIR or STTR Phase II technology.

“(5) ELIGIBILITY FOR AWARD.—The head of a Federal agency may make an award under a pilot program to any applicant that is eligible to receive a Phase III award related to technology developed in Phase II of an SBIR or STTR project.

“(6) REGISTRATION.—Any applicant that receives an award under a pilot program shall register with the Administrator in a registry that is available to the public.

“(7) TERMINATION.—The authority to establish a pilot program under this section expires at the end of fiscal year 2014.

“(8) DEFINITIONS.—In this section—

“(A) the term ‘covered Federal agency’—

“(i) means a Federal agency participating in the SBIR program or the STTR program; and

“(ii) does not include the Department of Defense; and

“(B) the term ‘pilot program’ means the program established under paragraph (1).”.

SEC. 5206. NANOTECHNOLOGY INITIATIVE.

(a) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this division, is amended by adding at the end the following:

“(ff) NANOTECHNOLOGY INITIATIVE.—Each Federal agency participating in the SBIR or STTR program shall encourage the submission of applications for support of nanotechnology related projects to such program.”.

(b) SUNSET.—Effective October 1, 2014, subsection (ff) of the Small Business Act, as added by subsection (a) of this section, is repealed.

SEC. 5207. ACCELERATING CURES.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 44 as section 45; and

(2) by inserting after section 43 the following:

“SEC. 44. SMALL BUSINESS INNOVATION RESEARCH PROGRAM.

“(a) NIH CURES PILOT.—

“(1) ESTABLISHMENT.—An independent advisory board shall be established at the National Academy of Sciences (in this section referred to as the ‘advisory board’) to conduct periodic evaluations of the SBIR program (as that term is defined in section 9) of each of the National Institutes of Health (referred to in this section as the ‘NIH’) institutes and centers for the purpose of improving the management of the SBIR program through data-driven assessment.

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The advisory board shall consist of—

“(i) the Director of the NIH;

“(ii) the Director of the SBIR program of the NIH;

“(iii) senior NIH agency managers, selected by the Director of NIH;

“(iv) industry experts, selected by the Council of the National Academy of Sciences in consultation with the Associate Administrator for Technology of the Administration and the Director of the Office of Science and Technology Policy; and

“(v) owners or operators of small business concerns that have received an award under the SBIR program of the NIH, selected by the Associate Administrator for Technology of the Administration.

“(B) NUMBER OF MEMBERS.—The total number of members selected under clauses (iii), (iv), and (v) of subparagraph (A) shall not exceed 10.

“(C) EQUAL REPRESENTATION.—The total number of members of the advisory board selected under clauses (i), (ii), (iii), and (iv) of subparagraph (A) shall be equal to the number of members of the advisory board selected under subparagraph (A)(v).

“(b) ADDRESSING DATA GAPS.—In order to enhance the evidence-base guiding SBIR program decisions and changes, the Director of the SBIR program of the NIH shall address the gaps and deficiencies in the data collection concerns identified in the 2007 report of the National Academies of Science entitled ‘An Assessment of the Small Business Innovation Research Program at the NIH’.

“(c) PILOT PROGRAM.—

“(1) IN GENERAL.—The Director of the SBIR program of the NIH may initiate a pilot program, under a formal mechanism for designing, implementing, and evaluating pilot programs, to spur innovation and to test new strategies that may enhance the development of cures and therapies.

“(2) CONSIDERATIONS.—The Director of the SBIR program of the NIH may consider conducting a pilot program to include individuals with successful SBIR program experience in study sections, hiring individuals with small business development experience for staff positions, separating the commercial and scientific review processes, and examining the impact of the trend toward larger awards on the overall program.

“(d) REPORT TO CONGRESS.—The Director of the NIH shall submit an annual report to Congress and the advisory board on the activities of the SBIR program of the NIH under this section.

“(e) SBIR GRANTS AND CONTRACTS.—

“(1) IN GENERAL.—In awarding grants and contracts under the SBIR program of the NIH each SBIR program manager shall place an emphasis on applications that identify products and services that may enhance the development of cures and therapies.

“(2) EXAMINATION OF COMMERCIALIZATION AND OTHER METRICS.—The advisory board shall evaluate the implementation of the requirement under paragraph (1) by examining increased commercialization and other metrics, to be determined and collected by the SBIR program of the NIH.

“(3) PHASE I AND II.—To the greatest extent practicable, the Director of the SBIR program of

the NIH shall reduce the time period between Phase I and Phase II funding of grants and contracts under the SBIR program of the NIH to 6 months.

“(f) LIMIT.—Not more than a total of 1 percent of the extramural budget (as defined in section 9 of the Small Business Act (15 U.S.C. 638)) of the NIH for research or research and development may be used for the pilot program under subsection (c) and to carry out subsection (e).

“(g) SUNSET.—This section shall cease to be effective on the date that is 5 years after the date of enactment of the SBIR/STTR Reauthorization Act of 2009.”.

TITLE LIII—OVERSIGHT AND EVALUATION SEC. 5301. STREAMLINING ANNUAL EVALUATION REQUIREMENTS.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)), as amended by section 102 of this division, is amended—

(1) in paragraph (7)—

(A) by striking “STTR programs, including the data” and inserting the following: “STTR programs, including—

“(A) the data”;

(B) by striking “(g)(10), (o)(9), and (o)(15), the number” and all that follows through “under each of the SBIR and STTR programs, and a description” and inserting the following: “(g)(8) and (o)(9); and

“(B) the number of proposals received from, and the number and total amount of awards to, HUBZone small business concerns and firms with venture capital investment (including those majority owned and controlled by multiple venture capital firms) under each of the SBIR and STTR programs;

“(C) a description of the extent to which each Federal agency is increasing outreach and awards to firms owned and controlled by women and social or economically disadvantaged individuals under each of the SBIR and STTR programs;

“(D) general information about the implementation and compliance with the allocation of funds required under subsection (cc) for firms majority owned and controlled by multiple venture capital firms under each of the SBIR and STTR programs;

“(E) a detailed description of appeals of Phase III awards and notices of noncompliance with the SBIR and the STTR Policy Directives filed by the Administrator with Federal agencies; and

“(F) a description”; and

(2) by inserting after paragraph (7) the following:

“(8) to coordinate the implementation of electronic databases at each of the Federal agencies participating in the SBIR program or the STTR program, including the technical ability of the participating agencies to electronically share data.”.

SEC. 5302. DATA COLLECTION FROM AGENCIES FOR SBIR.

Section 9(g) of the Small Business Act (15 U.S.C. 638(g)) is amended—

(1) by striking paragraph (10);

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively;

(3) by inserting after paragraph (7) the following:

“(8) collect annually, and maintain in a common format in accordance with the simplified reporting requirements under subsection (v), such information from awardees as is necessary to assess the SBIR program, including information necessary to maintain the database described in subsection (k), including—

“(A) whether an awardee—

“(i) has venture capital or is majority owned and controlled by multiple venture capital firms, and, if so—

“(I) the amount of venture capital that the awardee has received as of the date of the award; and

“(II) the amount of additional capital that the awardee has invested in the SBIR technology;

“(ii) has an investor that—

“(I) is an individual who is not a citizen of the United States or a lawful permanent resident of the United States, and if so, the name of any such individual; or

“(II) is a person that is not an individual and is not organized under the laws of a State or the United States, and if so the name of any such person;

“(iii) is owned by a woman or has a woman as a principal investigator;

“(iv) is owned by a socially or economically disadvantaged individual or has a socially or economically disadvantaged individual as a principal investigator;

“(v) received assistance under the FAST program under section 34 or the outreach program under subsection (s);

“(vi) is a faculty member or a student of an institution of higher education, as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); or

“(vii) is located in a State described in subsection (u)(3); and

“(B) a justification statement from the agency, if an awardee receives an award in an amount that is more than the award guidelines under this section;”;

(4) in paragraph (10), as so redesignated, by adding “and” at the end.

SEC. 5303. DATA COLLECTION FROM AGENCIES FOR STTR.

Section 9(o) of the Small Business Act (15 U.S.C. 638(o)) is amended—

(1) by striking paragraph (9) and inserting the following:

“(9) collect annually, and maintain in a common format in accordance with the simplified reporting requirements under subsection (v), such information from applicants and awardees as is necessary to assess the STTR program outputs and outcomes, including information necessary to maintain the database described in subsection (k), including—

“(A) whether an applicant or awardee—

“(i) has venture capital or is majority owned and controlled by multiple venture capital firms, and, if so—

“(I) the amount of venture capital that the applicant or awardee has received as of the date of the application or award, as applicable; and

“(II) the amount of additional capital that the applicant or awardee has invested in the SBIR technology;

“(ii) has an investor that—

“(I) is an individual who is not a citizen of the United States or a lawful permanent resident of the United States, and if so, the name of any such individual; or

“(II) is a person that is not an individual and is not organized under the laws of a State or the United States, and if so the name of any such person;

“(iii) is owned by a woman or has a woman as a principal investigator;

“(iv) is owned by a socially or economically disadvantaged individual or has a socially or economically disadvantaged individual as a principal investigator;

“(v) received assistance under the FAST program under section 34 or the outreach program under subsection (s);

“(vi) is a faculty member or a student of an institution of higher education, as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); or

“(vii) is located in a State in which the total value of contracts awarded to small business concerns under all STTR programs is less than the total value of contracts awarded to small business concerns in a majority of other States, as determined by the Administrator in biennial fiscal years, beginning with fiscal year 2008, based on the most recent statistics compiled by the Administrator; and

“(B) if an awardee receives an award in an amount that is more than the award guidelines under this section, a statement from the agency that justifies the award amount;”;

(2) in paragraph (14), by adding “and” at the end;

(3) by striking paragraph (15); and

(4) by redesignating paragraph (16) as paragraph (15).

SEC. 5304. PUBLIC DATABASE.

Section 9(k)(1) of the Small Business Act (15 U.S.C. 638(k)(1)) is amended—

(1) in subparagraph (D), by striking “and” at the end;

(2) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(F) for each small business concern that has received a Phase I or Phase II SBIR or STTR award from a Federal agency, whether the small business concern—

“(i) has venture capital and, if so, whether the small business concern is registered as majority owned and controlled by multiple venture capital companies as required under subsection (cc)(3);

“(ii) is owned by a woman or has a woman as a principal investigator;

“(iii) is owned by a socially or economically disadvantaged individual or has a socially or economically disadvantaged individual as a principal investigator;

“(iv) received assistance under the FAST program under section 34 or the outreach program under subsection (s); or

“(v) is owned by a faculty member or a student of an institution of higher education, as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).”.

SEC. 5305. GOVERNMENT DATABASE.

Section 9(k)(2) of the Small Business Act (15 U.S.C. 638(k)(2)) is amended—

(1) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively;

(2) by inserting after subparagraph (B) the following:

“(C) includes, for each awardee—

“(i) the name, size, location, and any identifying number assigned to the awardee by the Administrator;

“(ii) whether the awardee has venture capital, and, if so—

“(I) the amount of venture capital as of the date of the award;

“(II) the percentage of ownership of the awardee held by a venture capital firm, including whether the awardee is majority owned and controlled by multiple venture capital firms; and

“(III) the amount of additional capital that the awardee has invested in the SBIR technology, which information shall be collected on an annual basis;

“(iii) the names and locations of any affiliates of the awardee;

“(iv) the number of employees of the awardee;

“(v) the number of employees of the affiliates of the awardee; and

“(vi) the names of, and the percentage of ownership of the awardee held by—

“(I) any individual who is not a citizen of the United States or a lawful permanent resident of the United States; or

“(II) any person that is not an individual and is not organized under the laws of a State or the United States;”;

(3) in subparagraph (D), as so redesignated—

(A) in clause (ii), by striking “and” at the end; and

(B) by adding at the end, the following:

“(iv) whether the applicant was majority owned and controlled by multiple venture capital firms; and

“(v) the number of employees of the applicant;”.

SEC. 5306. ACCURACY IN FUNDING BASE CALCULATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every 3 years thereafter, the Comptroller General of the United States shall—

(1) conduct a fiscal and management audit of the SBIR program and the STTR program for the applicable period to—

(A) determine whether Federal agencies comply with the expenditure amount requirements under subsections (f)(1) and (n)(1) of section 9 of the Small Business Act (15 U.S.C. 638), as amended by this division;

(B) assess the extent of compliance with the requirements of section 9(i)(2) of the Small Business Act (15 U.S.C. 638(i)(2)) by Federal agencies participating in the SBIR program or the STTR program and the Administration;

(C) assess whether it would be more consistent and effective to base the amount of the allocations under the SBIR program and the STTR program on a percentage of the research and development budget of a Federal agency, rather than the extramural budget of the Federal agency; and

(D) determine the portion of the extramural research or research and development budget of a Federal agency that each Federal agency spends for administrative purposes relating to the SBIR program or STTR program, and for what specific purposes, including the portion, if any, of such budget the Federal agency spends for salaries and expenses, travel to visit applicants, outreach events, marketing, and technical assistance; and

(2) submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives regarding the audit conducted under paragraph (1), including the assessments required under subparagraphs (B) and (C), and the determination made under subparagraph (D) of paragraph (1).

(b) DEFINITION OF APPLICABLE PERIOD.—In this section, the term “applicable period” means—

(1) for the first report submitted under this section, the period beginning on October 1, 2000, and ending on September 30 of the last full fiscal year before the date of enactment of this Act for which information is available; and

(2) for the second and each subsequent report submitted under this section, the period—

(A) beginning on October 1 of the first fiscal year after the end of the most recent full fiscal year relating to which a report under this section was submitted; and

(B) ending on September 30 of the last full fiscal year before the date of the report.

SEC. 5307. CONTINUED EVALUATION BY THE NATIONAL ACADEMY OF SCIENCES.

Section 108 of the Small Business Reauthorization Act of 2000 (15 U.S.C. 638 note) is amended by adding at the end the following:

“(e) EXTENSIONS AND ENHANCEMENTS OF AUTHORITY.—

“(1) IN GENERAL.—Not later than 6 months after the date of enactment of the SBIR/STTR Reauthorization Act of 2009, the head of each agency described in subsection (a), in consultation with the Small Business Administration, shall cooperatively enter into an agreement with the National Academy of Sciences for the National Research Council to conduct a study described in subsection (a)(1) and make recommendations described in subsection (a)(2) not later than 4 years after the date of enactment of the SBIR/STTR Reauthorization Act of 2009, and every 4 years thereafter.

“(2) REPORTING.—An agreement under paragraph (1) shall require that not later than 4 years after the date of enactment of the SBIR/STTR Reauthorization Act of 2009, and every 4 years thereafter, the National Research Council shall submit to the head of the agency entering into the agreement, the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House of Representatives a report regarding the study conducted under paragraph (1) and containing the recommendations described in paragraph (1).”.

SEC. 5308. TECHNOLOGY INSERTION REPORTING REQUIREMENTS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this division, is amended by adding at the end the following:

“(gg) **PHASE III REPORTING.**—The annual SBIR or STTR report to Congress by the Administration under subsection (b)(7) shall include, for each Phase III award made by the Federal agency—

“(1) the name of the agency or component of the agency or the non-Federal source of capital making the Phase III award;

“(2) the name of the small business concern or individual receiving the Phase III award; and

“(3) the dollar amount of the Phase III award.”.

SEC. 5309. INTELLECTUAL PROPERTY PROTECTIONS.

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study of the SBIR program to assess whether—

(1) Federal agencies comply with the data rights protections for SBIR awardees and the technologies of SBIR awardees under section 9 of the Small Business Act (15 U.S.C. 638);

(2) the laws and policy directives intended to clarify the scope of data rights, including in prototypes and mentor-protégé relationships and agreements with Federal laboratories, are sufficient to protect SBIR awardees; and

(3) there is an effective grievance tracking process for SBIR awardees who have grievances against a Federal agency regarding data rights and a process for resolving those grievances.

(b) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the study conducted under subsection (a).

TITLE LIV—POLICY DIRECTIVES**SEC. 5401. CONFORMING AMENDMENTS TO THE SBIR AND THE STTR POLICY DIRECTIVES.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall promulgate amendments to the SBIR Policy Directive and the STTR Policy Directive to conform such directives to this division and the amendments made by this division.

(b) **PUBLISHING SBIR POLICY DIRECTIVE AND THE STTR POLICY DIRECTIVE IN THE FEDERAL REGISTER.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall publish the amended SBIR Policy Directive and the amended STTR Policy Directive in the Federal Register.

SEC. 5402. PRIORITIES FOR CERTAIN RESEARCH INITIATIVES.

(a) **IN GENERAL.**—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(hh) **RESEARCH INITIATIVES.**—To the extent that such projects relate to the mission of the Federal agency, each Federal agency participating in the SBIR program or STTR program shall encourage the submission of applications for support of projects relating to security, energy, transportation, or improving the security and quality of the water supply of the United States to such program.”.

(b) **SUNSET.**—Effective October 1, 2014, section 9(hh) of the Small Business Act, as added by subsection (a) of this section, is repealed.

SEC. 5403. REPORT ON SBIR AND STTR PROGRAM GOALS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(ii) **ANNUAL REPORT ON SBIR AND STTR PROGRAM GOALS.**—

“(1) **DEVELOPMENT OF METRICS.**—The head of each Federal agency required to participate in the SBIR program or the STTR program shall develop metrics to evaluate the effectiveness,

and the benefit to the people of the United States, of the SBIR program and the STTR program of the Federal agency that—

“(A) are science-based and statistically driven;

“(B) reflect the mission of the Federal agency; and

“(C) include factors relating to the economic impact of the programs.

“(2) **EVALUATION.**—The head of each Federal agency described in paragraph (1) shall conduct an annual evaluation using the metrics developed under paragraph (1) of—

“(A) the SBIR program and the STTR program of the Federal agency; and

“(B) the benefits to the people of the United States of the SBIR program and the STTR program of the Federal agency.

“(3) **REPORT.**—

“(A) **IN GENERAL.**—The head of each Federal agency described in paragraph (1) shall submit to the appropriate committees of Congress and the Administrator an annual report describing in detail the results of an evaluation conducted under paragraph (2).

“(B) **PUBLIC AVAILABILITY OF REPORT.**—The head of each Federal agency described in paragraph (1) shall make each report submitted under subparagraph (A) available to the public online.

“(C) **DEFINITION.**—In this paragraph, the term ‘appropriate committees of Congress’ means—

“(i) the Committee on Small Business and Entrepreneurship of the Senate; and

“(ii) the Committee on Small Business and the Committee on Science and Technology of the House of Representatives.”.

SEC. 5404. COMPETITIVE SELECTION PROCEDURES FOR SBIR AND STTR PROGRAMS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(jj) **COMPETITIVE SELECTION PROCEDURES FOR SBIR AND STTR PROGRAMS.**—All funds awarded, appropriated, or otherwise made available in accordance with subsection (f) or (n) must be awarded pursuant to competitive and merit-based selection procedures.”.

DIVISION G—MARITIME ADMINISTRATION AUTHORIZATION**TITLE LX—MARITIME ADMINISTRATION****SEC. 6001. SHORT TITLE.**

This title may be cited as the “Maritime Administration Authorization Act of 2010”.

SEC. 6002. COOPERATIVE AGREEMENTS, ADMINISTRATIVE EXPENSES, AND CONTRACTING AUTHORITY.

Section 109 of title 49, United States Code, is amended—

(1) by striking the headline for subsection (h) and inserting the following:

“(h) **CONTRACTS, COOPERATIVE AGREEMENTS, AND AUDITS.**—”.

(2) by striking the heading for paragraph (1) of subsection (h) and inserting the following:

“(1) **CONTRACTS AND COOPERATIVE AGREEMENTS.**—”.

(3) by striking “make contracts” in subsection (h)(1) and inserting “make contracts and cooperative agreements”

(4) by striking “section and” in subsection (h)(1)(A) and inserting “section.”;

(5) by striking “title 46;” in subsection (h)(1)(A) and insert “title 46, and all other Maritime Administration programs;”;

(6) by redesignating subsection (i) as subsection (j) and inserting after subsection (h) the following:

“(i) **GRANT ADMINISTRATIVE EXPENSES.**—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.”.

SEC. 6003. USE OF FUNDING FOR DOT MARITIME HERITAGE PROPERTY.

Section 6(a)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(a)(1)) is amended

by striking subparagraph (C) and inserting the following:

“(C) The remainder, whether collected before or after the date of enactment of the Maritime Administration Authorization Act of 2010, shall be available to the Secretary to carry out the Program, as provided in subsection (b) of this section or, if otherwise determined by the Maritime Administrator, for use in the preservation and presentation to the public of maritime heritage property of the Maritime Administration.”.

SEC. 6004. LIQUIDATION OF UNUSED LEAVE BALANCE AT THE MERCHANT MARINE ACADEMY.

The Maritime Administration may use appropriated funds to make a lump-sum payment at a rate of pay that existed on the date of termination or day before conversion to the Civil Service for any unused annual leave accrued by a non-appropriated fund instrumentality employee who was terminated if determined ineligible for conversion, or converted to the Civil Service as a United States Merchant Marine Academy employee during fiscal year 2009.

SEC. 6005. PERMANENT AUTHORITY TO HIRE ADJUNCT PROFESSORS AT THE MERCHANT MARINE ACADEMY.

(a) **IN GENERAL.**—Chapter 513 of title 46, United States Code, is amended by adding at the end thereof the following:

“§51317. Adjunct professors

“(a) **IN GENERAL.**—The Maritime Administrator may, subject to the availability of appropriations, contract with individuals as personal services contractors to provide services as adjunct professors at the United States Merchant Marine Academy, if the Maritime Administrator determines that there is a need for adjunct professors and the need is not of permanent duration.”.

(b) **CONTRACT REQUIREMENTS.**—Each contract under this section—

“(1) shall be approved by the Maritime Administrator; and

“(1) shall be for a duration, including options, of not to exceed one year unless the Maritime Administration finds that exceptional circumstances justify an extension, which may not exceed one additional year.

“(c) **LIMITATION ON NUMBER OF CONTRACTORS.**—In awarding contracts under this section, the Maritime Administrator shall ensure that not more than 25 individuals actively provide services in any one academic trimester, or equivalent, as contractors under subsection (a).

“(d) **EXISTING CONTRACTS.**—Any contract entered into before the date of enactment of the Maritime Administration Authorization Act of 2010 for the services of an adjunct professor at the Academy shall remain in effect for the trimester (or trimesters) for which the services were contracted.”.

(b) **CONFORMING AMENDMENTS.**—

(1) The table of contents for chapter 513 of title 46, United States Code, is amended by adding at the end thereof the following:

“51317. Adjunct professors.”.

(2) Section 3506 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (46 U.S.C. 53101 note) is repealed.

SEC. 6006. USE OF MIDSHIPMAN FEES.

Section 51314 of title 46, United States Code, is amended—

(1) by striking “1994.” in subsection (b) and inserting “1994, or for calculators, computers, personal and academic supplies, midshipman services such as barber, tailor, or laundry services, and U.S. Coast Guard license fees.”; and

(2) by adding at the end thereof the following:

“(c) **USE AND ACCOUNTING.**—

“(1) **USE.**—Midshipman fees collected by the Academy shall be credited to the Maritime Administration’s Operations and Training appropriations, to remain available until expended, for those expenses directly related to the purposes of the fees. Fees collected in excess of actual expenses may be returned to the midshipmen through a mechanism approved by the Maritime Administrator.

“(3) ACCOUNTING.—The Maritime Administration shall maintain a separate and detailed accounting of fee revenue and all associated expenses.”.

SEC. 6007. CONSTRUCTION OF VESSELS IN THE UNITED STATES POLICY.

Section 50101(a)(4) of title 46, United States Code, is amended by inserting “constructed in the United States after ‘vessels’”.

SEC. 6008. PORT INFRASTRUCTURE DEVELOPMENT PROGRAM.

Section 50302 of title 46, United States Code, is amended by adding at the end thereof the following:

“(c) PORT INFRASTRUCTURE DEVELOPMENT PROGRAM.—

“(1) ESTABLISHMENT OF PROGRAM.—The Secretary of Transportation, through the Maritime Administration, shall establish a port infrastructure development program for the improvement of port facilities.

“(2) AUTHORITY OF THE ADMINISTRATOR.—In order to carry out any program established under paragraph (1), the Maritime Administrator may—

“(A) receive funds provided for the program from non-Federal and private entities that have a specific agreement or contract with the Maritime Administration to further the purposes of this subsection;

“(B) coordinate with other Federal agencies to expedite the process established under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the improvement of port facilities to relieve port congestion, to increase port security, or to provide greater access to port facilities;

“(C) seek to coordinate all reviews or requirements with appropriate local, State, and Federal agencies; and

“(D) provide such technical assistance to port authorities or commissions or their subdivisions and agents as needed for project planning, design, and construction.

“(3) PORT INFRASTRUCTURE DEVELOPMENT FUND.—

“(A) ESTABLISHMENT.—There is a Port Infrastructure Development Fund for use by the Administrator in carrying out the port infrastructure development program. The Fund shall be available to the Administrator

“(i) to administer and carry out the program;

“(ii) to receive non-Federal and private funds from entities which have specific agreements or contracts with the Administrator; and

“(iii) to make refunds for projects that will not be completed.

“(B) CREDITS.—There shall be deposited into the Fund

“(i) funds from non-Federal and private entities which have agreements or contracts with the Administrator and which shall remain in the Fund until expended; and

“(ii) such amounts as may be appropriated or transferred to the Fund under this subsection.

“(C) TRANSFERS.—Amounts appropriated or otherwise made available for any fiscal year for an intermodal or marine facility comprising a component of the program shall be transferred to the Fund and administered by the Administrator.

“(D) ADMINISTRATIVE EXPENSES.—Administrative and related expenses for the program for any fiscal year may not exceed 3 percent of the amount available to the program for that fiscal year.

“(E) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Fund such sums as may be necessary to carry out the program, taking into account amounts received under subparagraph (A)(ii).”.

SEC. 6009. REEFS FOR MARINE LIFE CONSERVATION PROGRAM.

(a) IN GENERAL.—Section 3 of Public Law 92-09402 (16 U.S.C. 1220) is amended by adding at the end thereof the following:

“(d) Any territory, possession, or Commonwealth of the United States, and any foreign

country, may apply to the Secretary for an obsolete vessel to be used for an artificial reef under this section. The application process and reefing of any such obsolete vessel shall be performed in a manner consistent with the process jointly developed by the Secretary of Transportation and the Administrator of the Environmental Protection Agency under section 3504(b) of Public Law 107-09314 (16 U.S.C. 1220 note).”.

(b) LIMITATION.—Section 7 of Public Law 92-09402 (16 U.S.C. 1220c-091) is amended by adding at the end thereof the following:

“(d) LIMITATION.—The Secretary may not provide assistance under this section to a foreign country to which an obsolete ship is transferred under this Act.”.

SEC. 6010. STUDENT INCENTIVE PAYMENT AGREEMENTS.

Section 51509(b) of title 46, United States Code, is amended by striking “paid before the start of each academic year,” and inserting “paid,”

SEC. 6011. UNITED STATES MERCHANT MARINE ACADEMY GRADUATE PROGRAM RECEIPT, DISBURSEMENT, AND ACCOUNTING FOR NON-APPROPRIATED FUNDS.

Section 51309(b) of title 46, United States Code, is amended by inserting after “body,” the following: “Non-appropriated funds received for this purpose shall be credited to the Maritime Administration’s Operations and Training appropriation, to remain available until expended, for those expenses directly related to the purpose of such receipts. The Superintendent shall maintain a separate and detailed accounting of non-appropriated fund receipts and all associated expenses.”.

SEC. 6012. AMERICA’S SHORT SEA TRANSPORTATION GRANTS FOR THE DEVELOPMENT OF MARINE HIGHWAYS.

(a) IN GENERAL.—Chapter 556 of title 46, United States Code, is amended by redesignating sections 55602 through 55605 as sections 55603 through 55606 and by inserting after section 55601 the following:

“§55602. Short sea transportation grant program”.

“(a) IN GENERAL.—The Secretary of Transportation shall establish and implement a short sea transportation grant program.

“(b) PURPOSE.—The purposes of the program are to make grants to States and other public entities and sponsors of short sea transportation projects designated by the Secretary—

“(1) to facilitate and support marine transportation initiatives at the State and local levels to facilitate commerce, mitigate landslide congestion, reduce the transportation energy consumption, reduce harmful emissions, improve safety, assist in environmental mitigation efforts, and improve transportation system resiliency; and

“(2) to provide capital funding to address short sea transportation infrastructure and freight transportation needs for ports, vessels, and intermodal cargo facilities.

“(c) ELIGIBLE PROJECTS.—To be eligible for a grant under the program, a project—

“(1) shall be designed to help relieve congestion, improve transportation safety, facilitate domestic and international trade, or encourage public-private partnerships; and

“(2) may include development, modification, and construction of marine and intermodal cargo facilities, vessels, port infrastructure and cargo handling equipment, and transfer facilities at ports.

“(d) SELECTION PROCESS.—

“(1) APPLICATIONS.—A State or other public entity, or the sponsor of any short sea transportation project designated by the Secretary under the America’s Marine Highway Program (MARAD Docket No. 2008-090096; 73 FR 59530), may submit an application to Secretary for a grant under the short sea transportation grant program. The application shall contain such information and assurances as the Secretary may require.

“(2) PRIORITY.—In selecting projects for grants, the Secretary shall give priority to projects that are consistent with the objectives of the short sea transportation initiative and America’s Marine Highway Program that will—

“(A) mitigate landslide congestion;

“(B) provide the greatest public benefit in energy savings, reduced emissions, improved system resiliency, and improved safety;

“(C) include and demonstrate the greatest environmental responsibility; and

“(D) provide savings as an alternative to or means to avoid highway or rail transportation infrastructure construction and maintenance.

“(e) USE OF GRANT FUNDS.—Funds made available to a recipient of a grant under this section shall be used by the recipient for the project described in the application of the recipient approved by the Secretary.”.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 556 of title 46, United States Code, is amended—

(1) by redesignating the items relating to sections 55602 through 55605 as relating to section 55603 through 55606; and

(2) by inserting after the item relating to section 55601 the following:

“55602. Short sea transportation grant program.”.

SEC. 6013. EXPANSION OF THE MARINE VIEW SYSTEM.

(a) DEFINITIONS.—In this section:

(1) MARINE TRANSPORTATION SYSTEM.—The term “marine transportation system” means the navigable water transportation system of the United States, including the vessels, ports (and intermodal connections thereto), and shipyards and other vessel repair facilities that are components of that system.

(2) MARINE VIEW SYSTEM.—The term “Marine View system” means the information system of the Maritime Administration known as Marine View.

(b) FINDINGS.—Congress finds the following:

(1) Information regarding the marine transportation system is comprised of information from the Government of the United States and from commercial sources.

(2) Marine transportation system information includes information regarding waterways, bridges, locks, dams, and all intermodal components that are dependent on maritime transportation and accurate information regarding marine transportation is critical to the health of the United States economy.

(3) Numerous challenges face the marine transportation system, including projected growth in cargo volumes, international competition, complexity, cooperation, and the need for improved efficiency.

(4) There are deficiencies in the current information environment of the marine transportation system, including the inability to model the entire marine transportation system to address capacity planning, disaster planning, and disaster recovery.

(5) The current information environment of the marine transportation system contains multiple unique systems that are duplicative, not integrated, not able to be shared, not secure, or that have little structured privacy protections, not protected from loss or destruction, and will not be available when needed.

(6) There is a lack of system-wide information views in the marine transportation system.

(7) The Administrator of the Maritime Administration is uniquely positioned to develop and execute the role of marine transportation system information advocate, to serve as the focal point for marine transportation system information management, and to provide a robust information infrastructure to identify, collect, secure, protect, store, and deliver critical information regarding the marine transportation system.

(c) PURPOSES.—The purposes of this section are—

(1) to expand the Marine View system; and

(2) to provide support for the strategic requirements of the marine transportation system and its contribution to the economic viability of the United States.

(d) **EXPANSION OF MARINE VIEW SYSTEM.**—To accomplish the purposes of this section, the Secretary of Transportation shall expand the Marine View system so that such system is able to identify, collect, integrate, secure, protect, store, and securely distribute throughout the marine transportation system information that—

(1) provides access to many disparate marine transportation system data sources;

(2) enables a system-wide view of the marine transportation system;

(3) fosters partnerships between the Government of the United States and private entities;

(4) facilitates accurate and efficient modeling of the entire marine transportation system environment;

(5) monitors and tracks threats to the marine transportation system, including areas of severe weather or reported piracy; and

(6) provides vessel tracking and rerouting, as appropriate, to ensure that the economic viability of the United States waterways is maintained.

(e) **AGREEMENTS AND CONTRACTS.**—The Administrator of the Maritime Administration may enter into cooperative agreements, partnerships, contracts, or other agreements with industry or other Federal agencies to carry out this section.

SEC. 6014. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2010.

(a) **IN GENERAL.**—There are authorized to be appropriated to the Secretary of Transportation, for the use of the Maritime Administration, for fiscal year 2010 the following amounts:

(1) For expenses necessary for operations and training activities, \$122,900,000, of which—

(2) For expenses to maintain and preserve a United States-flag merchant fleet to serve the national security needs of the United States under chapter 531 of title 46, United States Code, \$174,000,000.

(3) For paying reimbursement under section 3517 of the Maritime Security Act of 2003 (46 U.S.C. 53101 note).

(4) For expenses to dispose of obsolete vessels in the National Defense Reserve Fleet, including provision of assistance under section 7 of Public Law 92-09402, \$15,000,000.

(5) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, \$48,000,000.

(6) For administrative expenses related to the implementation of the loan guarantee program under chapter 537 of title 46, United States Code, administrative expenses related to implementation of the reimbursement program under section 3517 of the Maritime Security Act of 2003 (46 U.S.C. 53101 note), and administrative expenses related to the implementation of the small shipyards and maritime communities assistance program under section 54101 of title 46, United States Code, \$4,000,000.

(b) **AVAILABILITY.**—Amounts appropriated pursuant to subsection (a) shall remain available, as provided in appropriations Acts, until expended.

NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 228, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 228) designating the week beginning September 14, 2009, as “National Direct Support Professionals Recognition Week.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 228) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 228

Whereas direct support workers, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as “direct support professionals”) are the primary providers of publicly funded long term support and services for millions of individuals;

Whereas a direct support professional must build a close, trusted relationship with an individual with disabilities;

Whereas a direct support professional assists an individual with disabilities with the most intimate needs, on a daily basis;

Whereas direct support professionals provide a broad range of support, including—

(1) preparation of meals;

(2) helping with medications;

(3) bathing;

(4) dressing;

(5) mobility;

(6) getting to school, work, religious, and recreational activities; and

(7) general daily affairs;

Whereas a direct support professional provides essential support to help keep an individual with disabilities connected to the family and community of the individual;

Whereas direct support professionals enable individuals with disabilities to live meaningful, productive lives;

Whereas direct support professionals are the key to allowing an individual with disabilities to live successfully in the community of the individual, and to avoid more costly institutional care;

Whereas the majority of direct support professionals are female, and many are the sole breadwinners of their families;

Whereas direct support professionals work and pay taxes, but many remain impoverished and are eligible for the same Federal and State public assistance programs on which the individuals with disabilities served by the direct support professionals must depend;

Whereas Federal and State policies, as well as the Supreme Court, in *Olmstead v. L.C.*, 527 U.S. 581 (1999), assert the right of an individual to live in the home and community of the individual;

Whereas, in 2008, the majority of direct support professionals are employed in home and community-based settings and this trend is projected to increase over the next decade;

Whereas there is a documented critical and growing shortage of direct support professionals in every community throughout the United States; and

Whereas many direct support professionals are forced to leave jobs due to inadequate wages and benefits, creating high turnover and vacancy rates that research dem-

onstrates adversely affects the quality of support to individuals with disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 14, 2009, as “National Direct Support Professionals Recognition Week”;

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals with disabilities of all ages;

(3) appreciates the contribution of direct support professionals in supporting the needs that reach beyond the capacities of millions of families in the United States;

(4) commends direct support professionals as integral in supporting the long-term support and services system of the United States; and

(5) finds that the successful implementation of the public policies of the United States depends on the dedication of direct support professionals.

NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 229.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 229) designating the week beginning August 30, 2009, as “National Historically Black Colleges and Universities Week.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. Mr. President, before asking unanimous consent that the resolution be agreed to, I wish to speak in support of S. Res. 229.

Wilberforce University, in Ohio, is one of the great historically Black colleges and universities in this country and provides terrific service and terrific education for people in my State.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 229) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 229

Whereas there are 103 historically Black colleges and universities in the United States;

Whereas historically Black colleges and universities provide the quality education essential to full participation in a complex, highly technological society;

Whereas historically Black colleges and universities have a rich heritage and have played a prominent role in the history of the United States;

Whereas historically Black colleges and universities allow talented and diverse students, many of whom represent underserved populations, to attain their full potential through higher education; and

Whereas the achievements and goals of historically Black colleges and universities are